

Argentine and Chilean officials said Wednesday.

## LEGAL ETHICS

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### **NYC Says Legal Defense Fund Contributions Are Gifts**

Contributions to legal defense funds established by New York City public servants to offset legal costs must be considered gifts and are subject to applicable gift restrictions, according to an advisory opinion released Wednesday by the city Conflicts of Interest Board.

## INSURANCE

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### **Pa. Justices To Mull If Insurance Chief Bound By Dept. Report**

The Pennsylvania Supreme Court agreed to review a ruling which found that the state's insurance commissioner was not bound to follow the recommendation of an investigation in a matter involving an insurer's decision to not renew coverage for a homeowner.

## PRIVACY & CONSUMER PROTECTION

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### **Analysis**

### **5 Ways IPO Prospects Can Boost Cybersecurity Readiness**

Cyberattacks are a big enough headache for a private company, but the risks take on new meaning for a company considering going public, where they will face far more regulatory scrutiny and risk investor backlash should their sensitive data be breached. Here are five ways IPO prospects can boost their cybersecurity readiness before catching the public's eye.

## PRODUCT LIABILITY

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### **Fla. Bill Could Increase Personal Injury Damages Awards**

A bill that would expand prejudgment interest for prevailing plaintiffs mandatory in all civil suits, including personal injury and wrongful

death claims, passed favorably out of a Florida Senate committee Wednesday.

## GOVERNMENT CONTRACTS

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### **Senators Demand GAO Probe Of Work Relief Programs**

Two senators on Tuesday asked the U.S. Government Accountability Office for a full evaluation of government work relief initiatives, including the often-maligned fleet of Trade Adjustment Assistance Programs.

### **El Salvador Wins Post-Award Interest On \$8M Costs Award**

An International Centre for the Settlement of Investment Disputes tribunal agreed Tuesday to supplement its award dismissing an OceanaGold Corp. subsidiary's claim against El Salvador over a stymied gold mining project to include post-award interest on an \$8 million costs award.

## AEROSPACE & DEFENSE

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### **Senate Approves Treaty For Montenegro To Join NATO**

The U.S. Senate late on Tuesday approved a treaty allowing Montenegro to join NATO, one day after lawmakers voted overwhelmingly to move toward final passage of the deal, which offers formal U.S. support for the Balkan state to join the military alliance as its 29th member.

## INTERNATIONAL TRADE

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### **Analysis**

### **NTC's Role Becomes Clearer, And The Trade Bar Isn't Happy**

Attorneys recently learned more about the precise role of the newly created White House National Trade Council after its director Peter Navarro attempted to put his thumb on the scale of a closely watched anti-dumping duty

review, a move that has put some on the trade bar on high alert.

## TAX

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### **Ways & Means Head Considers Changes To Border Tax Plan**

House Republicans may be bending to political pressure over their most controversial proposal to revamp tax laws, with the leader of the chief tax-writing committee in the House of Representatives saying Wednesday that he is "contemplating significant modifications" to the border-adjusted tax plan.

## IMMIGRATION

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### **Immigration Bill Roundup: Changes Proposed For Work Visas**

Members of the 115th Congress took action on immigration-related bills in recent days that included measures to circumvent annual caps on H-2B visas and to bar employers from shifting jobs overseas as part of the H-1B visa program.

### **Vt. Gov. Signs Bill To Limit Local Cooperation On Immigration**

Vermont Gov. Phil Scott on Tuesday signed into law a bill to limit how local law enforcement may cooperate with federal agents on immigration matters while still complying with related federal laws.

### **Feds Fight Travel Ban Suit Over Updated Executive Order**

The federal government urged a D.C. federal court Tuesday to reject a bid made by several Iranian groups to block President Donald Trump's second executive order creating a travel ban, arguing that the parties haven't suffered any injuries and that the order is "explicitly religion-neutral."

### **Ariz. County Can't Use I-9s In State Prosecutions, Judge Says**

An Arizona federal judge has permanently barred the Maricopa County Sheriff's Office from using documents submitted by employees solely for use in I-9 employment authorization checks to conduct criminal prosecutions for identity theft or forgery under two state laws.

### **Seattle Sues Trump Over 'Sanctuary Cities' Funding Threat**

The city of Seattle is the latest municipality to take aim at President Donald Trump's executive order limiting federal funds to so-called sanctuary cities, filing a lawsuit in Washington federal court Tuesday alleging the order violates the Tenth Amendment and puts as much as \$155 million of the city's federal funding at stake.

## **NATIVE AMERICAN**

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### **Tribe Tells Calif. High Court Gov. Can't OK Off-Res Casino**

The United Auburn Indian Community has pressed California's top court to hold that the state's governor cannot give the thumbs-up to a tribe for off-reservation gambling because to do so exceeds the governor's power under the state's constitution and violates the separation of powers between government branches.

### **Wash. Tribes Escape Sanctions In Cigarette Sales Row**

A Washington federal judge refused Wednesday to sanction attorneys for members of four Native American tribes who unsuccessfully tried to block state employees from pursuing criminal cases for the illegal sale of cigarettes on Indian land, finding that arguments made in their proposed third amended complaint weren't frivolous.

## **TELECOMMUNICATIONS**

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### **FCC To Nix Federal Lifeline Approval Process, Pai Says**

The Federal Communications Commission will move to eliminate a streamlined federal approval process instituted by the last administration for companies seeking to provide new Lifeline broadband service for low-income households, and will not defend against a legal challenge to it, Chairman Ajit Pai said Wednesday.

### **AT&T Backs FCC To Allocate Broadband Infrastructure Funds**

The U.S. Federal Communications Commission should be responsible for dispersing any new money for broadband through its Connect America Fund and Mobility Fund programs, AT&T said Wednesday, since it clearly has the expertise and tools to make sure that the funds go where broadband is most needed.

## **EXPERT ANALYSIS**

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### **Broad Contractor Whistleblower Protections Are Here To Stay**

Based on the U.S. Government Accountability Office's recent report on the Whistleblower Protections Pilot Program, it appears that many contractors may not fully understand their obligations to communicate whistleblower rights to their employees, say attorneys with Crowell & Moring LLP.

### **Calif. Bill Puts Employers In Middle Of Immigration Debate**

It was anticipated that the California Legislature would respond to the Trump administration to address issues impacting immigrant workers. With the recent introduction of Assembly Bill 450 we now have a clear sense of what that response will look like, says Benjamin Ebbink of Fisher Phillips.

#### **Series**

### **Advocate For An Agency: Ex-FERC GC Cynthia Marlette**

Cynthia Marlette, the Federal Energy Regulatory Commission's general counsel from

2001 to 2005 and from 2007 to 2009, reflects on how she addressed the job's many responsibilities, including advising the commission on laws and enforcement actions, developing policy, seeking consensus among commissioners, and overseeing defense of agency actions in court, as well as dealing with historic events like the California energy crisis.

Opinion

### **Delrahim: The Right Captain For The Antitrust Division**

The selection of Makan Delrahim to lead the U.S. Department of Justice's Antitrust Division likely signals that there won't be a significant change in course for the crucial and nonpartisan work of the Antitrust Division. There could be no better choice for the job, says David Balto, former policy director of the Federal Trade Commission Bureau of Competition.

## **LEGAL INDUSTRY**

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Analysis

### **4 Ways To Rise To The Top In BigLaw Without Making It Rain**

Being a rainmaker is often thought of as the gold standard when it comes to "making it" in BigLaw, but experts say there are a number of ways lawyers can become highly valued partners without being stellar business generators. Here are four tips on becoming a major player without being a rainmaker.

Analysis

### **3 Decisions You Need To Read About Bills And Privilege**

It's generally understood that the bills a lawyer sends a client are privileged communications and can't be pried open through discovery, but courts haven't always agreed with the concept. Here, we look at three recent cases showing just how far the privilege can or cannot go when it comes to legal billing.

## **ACC Offers Benchmarks For Law Firm Cybersecurity**

The Association of Corporate Counsel on Wednesday released cybersecurity guidelines for law firms that outline the ways in which sensitive information passed to outside counsel should be handled and protected.

## **Plaintiffs Bar Perspective: Jonathan Gardner**

For plaintiffs attorneys, it's important to have an entrepreneurial mindset and understand the business of law. Since we are contingency-based, we take on risk with every case, says Jonathan Gardner, partner at Labaton Sucharow LLP.

### **JOBS**

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Law360 | Portfolio Media, Inc, 111 West 19th Street, 5th Floor, New York, NY 10011

**From:** mailagent@thesoftedge.com on behalf of robertmunch211@gmail.com  
**Sent:** Friday, March 31, 2017 7:11 PM  
**To:** Rep30  
**Subject:** Please do not support HB 113 - Right to Wrong

Dear Representative Seitz:

Primary Sponsor: Representative Brinkman

Dear Legislator,

I urge you to not Support HB 53. Legislation that would make Ohio a "right-to-work" state is back, but it's unclear how far the controversial measure will go after voters rejected a prior effort to scale back public union bargaining rights.

Representative Brinkman a Republican from Cincinnati, is at it again. Representative Brinkman introduced on March 7, 2017, the latest iteration - HB 113. House Bill 113, private sector employees could opt out of joining a union or paying dues.

Currently, employees cannot be required to join unions. But state law allows collective bargaining agreements to require "fair share" or agency fees. The fees are lower than union member dues payments and cannot be used for services beyond contract negotiations.

But state legislators in the GOP-controlled General Assembly have been cool to enacting restrictions on labor unions in the public or private sector since 2011. That year, Gov. John Kasich signed Senate Bill 5, which greatly restricted collective bargaining rights for public union employees.

Voters overwhelmingly repealed the law.

Kasich, a Republican, has said right to work not on his agenda and taken the fight over Senate Bill 5 as a cue not to pursue the issue.

Last month, legislative leaders from both parties questioned the need for right-to-work legislation. Opponents say right-to-work laws lower union membership and wages and don't lead to job growth as promised.

I believe that Right to Work Laws lowers wages, making it even harder to support a family. Right to Work Laws lessen safety rules that protect workers. Right to Work Laws destroys worker benefits including healthcare.

How many times will the citizens of Ohio have to fight off Right to Work Laws in Ohio?

Please reject this latest attempt to introduce Right to Work in Ohio.

Sincerely,

Robert Munch  
3356 Glenmont Lane  
Cincinnati, OH 45248



**From:** Rep30  
**Sent:** Wednesday, April 5, 2017 11:06 AM  
**To:** 'robertmunch211@gmail.com'  
**Subject:** RE: Please do not support HB 113 - Right to Wrong

Dear Mr. Munch,

Thank you for your email. No legislator has the power to stop any other legislator from introducing a bill on any subject. However, there is a big difference between introducing a bill and having it pass. I am not a cosponsor of Rep. Brinkman's bill and I doubt very much that it will pass in its current form.

As you may know, I opposed SB 5 in 2011, even though most of my Republican colleagues voted yes. I am therefore well aware of all the arguments you have made.

Thanks again for writing.

Sincerely,

William J. Seitz

-----Original Message-----

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Sincerely,

Robert Munch  
3356 Glenmont Lane  
Cincinnati, OH 45248

**From:** Rep30

**Sent:** Wednesday, April 12, 2017 7:51 AM

**To:** Rep84; Rep88; Rep82; Cliff Hite (LIO); Beagle@ohiosenate.gov; Balderson@ohiosenate.gov; Frank Strigari; Lehman, Ryan; Kasych, Shawn

**CC:** Dumski, Allie; Benjamin, Abigail; Leach, Eric; Emilie Regula; Ethan Zucal; Rachael Mains

**BCC:** juliejohnson@ctcn.net; 'tfstacy@gmail.com'

**Subject:** FW: Wind News - Ohio Setbacks in Play

**Attachments:** mime-attachment.jpg; mime-attachment.jpg; mime-attachment.jpg; mime-attachment.jpg; mime-attachment.png; mime-attachment.jpg; mime-attachment.jpg; mime-attachment.jpg

Please read every word of this long chain. There is no way on God's Green Earth that we should even consider for a millisecond changing the wind setbacks in the budget. Any of you that want to discuss this topic, I am game but not in the budget and the ardor to change them should be tempered by what you read below.

---

**From:** Kevon Martis <kevon@kevonmartis.com>

**Date:** April 11, 2017 at 9:04:53 PM EDT

**To:** julia johnson <juliejohnson@ctcn.net>, "Seitz, William" <william.seitz@dinsmore.com>

**Subject:** Re: Wind News - Ohio Setbacks in Play

A "flier"???? IT's from the f\*\*\*\*\* Michigan State University Extension, Greening Michigan Institute, Government and Public Policy Team!!!! That's the best they have?

MSE extension educates every planning commissioner in the State of Michigan!

Sorry...tired.

On 4/11/2017 8:52 PM, julia johnson wrote:

Friends,

We regret that a series of computer malfunctions left us out of communication over the past two weeks. During that time the wind industry lobby has been working to get the Ohio Senate to insert a provision in the budget bill

rolling back the current property line setback. At the same time, Rep. Bill Seitz has suggested that some kind of compromise on setbacks may need to be inserted in the mandate repeal bill (HB 114) when it is considered in the Senate. Seitz tells us that might be the cost of getting a veto-proof majority of Senate votes necessary to override a veto by Governor Kasich. As we understand it, a setback-related amendment to HB 114 would give township trustees the power to override current setbacks. When asked about conflicts of interest, Rep. Seitz said, *"Under my proposal, the trustees could not vote if they were participating leaseholders. My guess is that letting the trustees override the state setbacks would not result in much change as the people in the township would likely pressure them to not approve it."* What we do not know at this point is whether the township trustees would be given the opportunity to lengthen setbacks as well as shorten them.

AWEA and the environmentalists are working hard to reverse protective setbacks. What we hope does not happen, is that the current setbacks are changed AND the township trustees are given authority to put them back only to preexisting property line measurements. There seems to be no dialog on noise or shadow flicker just distance.

In the meantime, during the past two weeks the press has reported setback controversies in Michigan, South Dakota, Rhode Island, Minnesota and Colorado. And those are just the stories we noticed.

We also draw your attention to the LeedCo Icebreaker project (aka taxpayer boondoggle) in Lake Erie. The OPSB did not accept the application as complete and has requested the LeedCo resubmit. Today the American Bird Conservancy wrote in the Chicago Tribune that all turbines should be kept out of the Great Lakes due to enormous projections of migratory slaughter. We understand that many, many people wrote comments in opposition to the LeedCo project. Now that the application must be submitted, we are told all those comments will be lost and the public will have to start over.

We are glad to be back on line and urge everyone to call their local legislators to counter the spin coming from AWEA. Cut and paste the articles about problems in other states to demonstrate these problems are real.

Diane and Julie

PS We include at the very bottom a profile of first term Ohio Rep. Craig Riedel from Defiance.

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Ohio Statehouse News

April 11, 2017 OHIO

## **Wind, Environmental Groups Eyeing Senate For Budget Amendment To Reduce Wind Setback**

A coalition of wind energy advocates is laying the groundwork for a budget effort to reduce Ohio's turbine setback once the two-year spending measure arrives in the Senate.

Advocates said in interviews they believe senators are more amenable to their proposal to revert the setback to what it was before lawmakers increased it to 1,125 feet in a 2014 mid-biennium review budget bill, effectively killing new wind farm development.

At the same time, members of both House caucuses submitted proposed budget amendments last week offering several options to reduce the current setback.

A proposal from Rep. Bill Reineke (R-Tiffin), for instance, would reduce the setback to one-and-a-half times the height of the turbine. Although not as lenient as the pre-2014 setback, he believes it's a "good compromise" between the two sides.

"Wind is a big resource in my district and I've had a lot of requests for those setbacks to be looked at," Rep. Reineke said. "It increases it slightly over what it was pre-2014. And it changes some of the hearing requirements for the neighbors to be able to sign off if they would choose to do so. It gives it a little bit more flexibility."

Rep. Reineke said he believes there's an appetite in the House to reexamine the issue.

Whether any of those amendments will make it into the House's substitute budget (HB 49) bill expected to be unveiled April 25 is yet to be seen. But even if the House chooses to pass on the issue, advocates believe the Senate may be more willing to act.

"I certainly think there's a possibility of it (happening)," said Dayna Baird Payne, who represents the American Wind Energy Association and other proponents. "I think there is some openness in the Senate currently."

She credits much of that openness to Sen. Cliff Hite (R-Findlay), whose district would likely contain any new wind development. But advocates say the Senate overall has greater institutional knowledge of the issue and offers an easier route to generate a consensus given its smaller size.

"I think there's some understanding on that leadership team this is an issue about economic development and removing an artificial market barrier," Ms. Payne said. "If a company wants to build a wind project, locals want that project and an end user wants to purchase that wind, this stands in the way and prevents it."

The Sierra Club and the Ohio Environmental Council are among other groups hoping for a setback change in the Senate. At the same time, they continue pushing back against a Michigan State University document some Republican representatives have said justifies an additional increase in the setback.

Rep. Keith Faber (R-Celina) and Rep. Bill Seitz (R-Cincinnati) have repeatedly pointed to the document in recent weeks, saying that if the legislature really wants to take the issue back up it should increase the setback to 2,500 feet.

Wind supporters, though, point out that what the lawmakers have called a "study" is referred to as a "flier" by its author and that it states a setback equal to the tower's height would be adequate. Under that rationale, they said, the state's previous setback would suffice.

"We're watching this issue," OEC General Counsel Trent Dougherty said. "Obviously, we don't believe there should be even more of an increase...so we're watching for that and expressing our opposition."

Sierra Club Ohio Chapter Director Jen Miller called the idea "ridiculous," since turbine development has already come to a virtual halt under the current setback.

"Eighty percent of wind in Ohio is actually serving markets outside of Ohio," Ms. Miller said. "We should just be fixing our problem now. We've already zoned ourselves out of the wind business."

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<http://www.marion-press.com/2017/03/wind-turbines-unsafe-at-any-distance/>

The Marion Press - MICHIGAN

Tuesday, April 11, 2017

## **"Wind Turbines: Unsafe at any distance"**



Dear Editor:

Last December, one of the turbines at the Stoney Corners wind facility burst into flames and was completely destroyed. Black smoke darkened the sky and heavy winds spread ash and burning particles on fields and properties nearby. For days the acrid odor of smoldering composites lingered in the air and seeped into my home along with several other homes in the area of the fire.

By the next day, what was left of the turbine was hauled off and some of the contaminated top soil was bulldozed into a

pile where it still sits, three months later. What assurance is there that contaminants from the burned turbine are not filtering into the groundwater below?

Heritage Sustainable Energy, who owns the project, told the local press that turbine fires have never happened before in McBain. That may be so, but as a wind developer, Heritage is well aware that fire is the second largest cause of turbine failure worldwide and the problem is growing. Heritage touts wind power as clean and emission free but no one ever mentions the toxic pollutants released when the blades and other parts of the nacelle are ignited or the hazards of inhaling the gas and particles emitted by the fire.

‡ CMore than ten of the 28 Heritage turbines are sited within two miles of my home with the closest just 1700 feet away.” Back in 2008 when I agreed to sign a contract with Heritage, something I deeply regret, no one informed me of the dangers of living so close to the spinning towers. I can tell you first hand that wind turbines are not safe for humans, animals, birds of all sorts, the environment, or your electric bill. They are Not Green, Not Clean and Not Cheap.

If the state and its legislators continue to blindly insist that wind turbines are safe, they should advocate projects be sited on State and Federal land away from communities where they pollute our countryside and put people and property at risk.

There are alternatives to wind power that do not carry the same dangers and that are safer for humans, animals, birds and our countryside. Be warned and say “no” to wind power in your community.

***Dianne Ziegler***

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<http://www.faribaultcountyregister.com/page/content.detail/id/512142/Fighting-the-winds-of-change.html>

## **Fighting the winds of change**



## Pilot Grove Township residents want stricter wind ordinance

April 9, 2017

Cody Benjamin - Register Staff Writer Faribault County Register MINNESOTA

When the Coalition for Rural Property Rights stormed the Faribault County Courthouse on Tuesday, it was not an officially licensed organization.

But in claiming support from nearly 90 percent of Pilot Grove Township residents, overflowing the county commissioners room with agricultural advocates and literally standing in unison to plead for greater setbacks and a more restrictive ordinance pertaining to wind turbines in the county, it made its stance as official as could be.

The Coalition brands itself as "a group of Iowa landowners standing against the encroachment of industrial wind installations," but its representatives at Tuesday's meeting mostly identified themselves as Pilot Grove residents particularly ones perturbed at a Rose Lake Wind Project proposed by the independent power producer EDF Renewable Energy.

The Faribault County Board meeting room was overflowing last Tuesday, when residents of Pilot Grove Township and others testified before the commissioners about their concerns about wind turbine development.

With at least four locals reading prepared statements, several others chiming in from behind walls of other guests and the County Board forced to oversee crowded seating arrangements as much as the discussion at hand, the Coalition prefaced a visit from EDF's Shanelle Montana, a senior project developer, with adamant requests for a crackdown on turbines.

Not one of the guest speakers denied the financial benefit of wind generation, which Montana went on to crown as "an additional resource" for "cheap electricity" and therefore an obvious draw for local businesses. But

complaints of everything from noisy turbine malfunctions to an alleged ignorance of the county's agricultural roots rang loud and clear as the Coalition suggested the commissioners adopt the Goodhue County wind-structure ordinance, which enforces greater setbacks than that of Faribault County's renewable energy restrictions.

Paul Carr, who said he has mostly been a lifelong Pilot Grove Township resident, helped kick off the campaign. "I come here," Carr said, "representing and on behalf of about 88 percent of Pilot Grove Township residents, who have signed a petition to increase a setback of commercial wind generators to non-participating residences."

Saying that current setbacks, which dictate that wind turbines can be placed roughly 1,000 to 1,500 feet from such residences, are "not far enough to prevent material harm" such as added noise, shadow flicker and "a complete change of environment," Carr asked that local constituents be prioritized over the economic boosts of projects like the one proposed by EDF.

Montana later countered by suggesting the EDF project, which would span from Pilot Grove Township into Martin County, would not begin taking shape until 2020. By that point, such a project would not be federally subsidized, therefore potentially lessening the financial burden on local communities.

#### **But concerns remained.**

"Most object to an object roughly the size of a Boeing 747, over 400 feet in the air and constantly moving, being placed within 1,000 to roughly 1,500 feet of them," Carr said. "Without more setbacks for large wind turbines, the county may find itself with more money to spend on a public garage (only) to serve its fewer residents."

Carolyn Zierke, a local agronomist of 25 years, wondered aloud why counties, especially Faribault County, would even consider uprooting or impeding upon signature farmlands for the sake of wind projects.

"Why are counties overlaying an industrial zone on top of a productive agricultural zone?" she asked. "A turbine is not a piece of farm equipment, and it is not a farm structure."

Dan Moore, once a director of project development for Renewable Energy Solutions and one of the developers behind Blue Earth's Big Blue Windfarm, agreed.

"I sat here in this same seat 14 years ago," Moore said, referencing a decades-old visit to the County Board regarding turbine development. "Today, I am here as a retired wind generator developer ... and I am asking for the adoption of the Goodhue County ordinance."

Reviewing his own history in campaigning for wind energy, Moore reminded the board that he helped other turbines, including those at Winnebago's Corn Plus ethanol plant, come to life.

But after discovering some of the faults of turbine projects, particularly noisy side effects, he made it clear Tuesday that he was standing with none other than the waves of Pilot Grove people behind him.

"Had I known they would be this noisy, guys," he said, referring to the Big Blue turbines, "listen, I would never have started developing that project."

Producing an apple from his shirt pocket and leaving it on the guest podium in front of the commissioners, Moore asked the board to overlook promises of more money for the concerns of the rural residents.

"Don't get mesmerized by the apple money," he said.

"Don't let the illusion of big money generated by these big machines cloud your judgment in protecting the residents who are forced to live around these big machines. These are the families that have elected you guys to protect them, so please don't bite the apple."

Others reiterated the alluring, albeit apparently deceiving, role of money in the matter.

"In the end, it seems like the money always wins," one man said from the mass of guests, saying the county already houses 22 industrial-sized turbines. "EDF is on the agenda

after us, and I'm sure they're going to tell you how great this is, how every project they've built has left counties rich and happy, because that's what this big push for wind is all about money."

When Montana, of EDF, was finally summoned to speak, weaving through the crowd of standing guests to make herself seen, she did not ignore money's part in the discussion.

But her first point centered on the fact that EDF will not pursue any project, let alone one that allegedly threatens the well-being of nearly an entire township, without the community's support.

"I'm not here to shove a project down anyone's throat," Montana said, recounting her own upbringing as a "farm girl." "I'm just here to present something. We're only here if we have a willing partner, and that partner is a community."

Claiming that the state of Minnesota already owns some of the strictest wind turbine setbacks in the country, Montana assured some of the concerned residents that if any malfunctioning or noisy structures reached certain decibel levels, they would be shut down.

"A decommissioning plan is required with these projects," she noted.

All things considered, Montana still urged the commissioners to weigh their options. "This is up to the community," she said. "I just want you to know that if you have an additional setback, I cannot efficiently and effectively develop a low-cost project."

Pilot Grove visitors flocked to the EDF developer after departing the commissioners room, some alleging that a February public meeting on the proposed turbine project was available through "private invitation only," and others saying they heard EDF partners are contracted not to speak negatively about polarizing projects.

But more talks regarding the future of the project, and the ordinance that might inhibit it, are on the docket.

Commissioner Greg Young, who acknowledged most of the concerns stemmed from a township he represents, agreed with board chairman John Roper that a work session with the county's Planning and Zoning department was in order. A unanimous vote by the commissioners then scheduled that session for April 18, immediately following the board's next regular meeting.

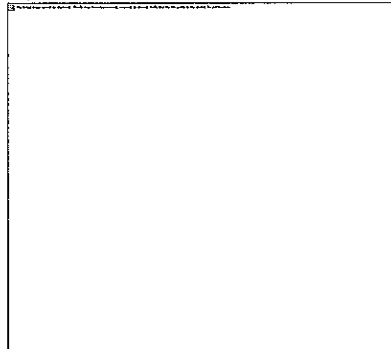
And now, having shared or considered opinions from both sides of a windy spectrum, the county, Montana and the Coalition for Rural Property Rights wait.

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[http://www.starbeacon.com/news/local\\_news/conneaut-wind-turbine-facing-uncertain-future/article\\_2ca4767c-b0e9-5bd2-9215-22d8377023fc.html](http://www.starbeacon.com/news/local_news/conneaut-wind-turbine-facing-uncertain-future/article_2ca4767c-b0e9-5bd2-9215-22d8377023fc.html)

## **Conneaut wind turbine facing uncertain future**

By MARK TODD OHIO



WARREN DILLAWAY | Star Beacon

An arm of a Conneaut Harbor wind turbine was severed by lightning last month.

CONNEAUT — A wind turbine severely damaged by lightning late last month is facing an uncertain future on Conneaut's lakefront.

At Monday's City Council meeting, City Manager James Hockaday said the turbine's owner, NexGen Energy, wants a long-term renewal of its contract with the city before it will proceed with repairs.

The 400-kilowatt turbine was constructed in January 2010 to provide some of the electricity used by the city's sewage treatment plant. On Feb. 25, lightning blew apart one of the turbine's blades. A power surge from the blast also damaged some equipment and fixtures inside the plant.

A contract with NexGen obliges the city to buy electricity generated by the turbine for 10 years. The contract expires in 2020.

Hockaday said NexGen estimates repairs to the turbine will cost \$250,000. To make the fix-up financially feasible for NexGen, the company would require an extension to its contract with the city, he told council.

A contract proposal is being prepared and will be shared with council when it's delivered, Hockaday said. If no agreement on a contract extension is reached, the city would ask the turbine be disassembled and removed.

NexGen said the damage to the turbine was among the most severe the company has experienced, Hockaday said Monday. The extent of damage to the plant is still being assessed, he said.

The biggest concern is a blower motor on one piece of equipment that is not working properly.

In August 2011, 18 months after the turbine was installed, lightning damaged a blade that was replaced several months later.

A NexGen spokesperson could not be reached for comment.

Another NexGen wind turbine, a 600-kilowatt model adjacent to Conneaut Middle School on Gateway Avenue, has been idle for years. NexGen is suing the manufacturer, alleging parts were defective. The turbine, designed to

provide electricity to CMS, never performed as planned since it went online in late 2009, according to the lawsuit, filed in 2013.

Repairs to the school turbine won't happen until the lawsuit is settled, NexGen officials said at the time.

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<http://gazette.com/reassurances-fail-to-convince-some-neighbors-el-paso-county-wind-farm-is-safe/article/1599581>

## **Reassurances fail to convince some neighbors El Paso County wind farm is safe**

By: Rachel Riley

March 23, 2017 Updated: March 24, 2017 at 6:21

am **COLORADO**

Residents living by a wind farm near Calhan say the turbines are affecting their health and harming animals, despite reassurances from experts at this week's El Paso County commissioners' meeting.

Jeff Wolfe, who lives close to NextEra Energy's Golden West wind farm, said he's experienced nausea, dizziness and migraines since it began operating in fall 2015. He attributes the symptoms to the low-frequency sound waves, known as infrasound, emitted by the 145 windmills.

"This is poisoning people. It's poisoning animals," said Wolfe, who has lived at his home between Yoder and Calhan for 20 years. He also blames the turbines for the cardiovascular problems his wife has begun to experience and the death of seven of their animals, including five dogs.

At the meeting, intended to provide commissioners and residents with an update on the wind farm, county staff and NextEra officials presented reports on the sound levels of the windmills and the flickering effect, known as "shadow flicker," that occurs when the sun shines through the turbines' rotating blades. A half-dozen residents also had the chance to air their grievances about the wind farm,

approved by commissioners in 2013, which has long been a source of controversy.

Experts told commissioners that study after study has shown the infrasound generated by windmills isn't hazardous to humans, and the levels of infrasound and amount of shadow flicker created by the turbines are in compliance with local regulations and zoning rules.

John Dailey, senior business manager for the Florida-based energy company, said the company has received 83 complaints about the project since March 2015, a month after commissioners OK'd a change to the original construction plan that included a 29-mile above-ground power line.

About 70 of the complaints were made during the seven months the farm was being built and mostly involved construction-related concerns about noise and dust. Of the roughly 15 others that have been made since the \$400 million project was completed, more than half have been resolved, Dailey said.

"I think that's a pretty good track record," he told commissioners.

Assessor Steve Schleiker also presented data from June through January showing property values in the area have not fallen due to the wind farm. Properties sold within a one-mile radius of the turbines and transmission line went for prices well above market values. He also cited numbers from the Pikes Peak Multiple Listing Service that showed that average sale prices of single family homes in the Calhan and Ramah area increased by about 45.5 percent between February 2016 and February 2017.

"Bottom line, it's all good news," he told commissioners.

A consultant with environmental engineering and consulting firm Epsilon Associates, hired by NextEra to conduct studies on sound levels and shadow flicker that were required by its agreement with the county, presented the firm's findings.



One report, which measured noise levels at 15 different locations near the wind farm, concluded that the turbines do not exceed the noise limit set by county ordinance. The second report, which used a computerized model to measure the duration of shadow flicker experienced by homes near the farm, stated that most of the homes experience less than the 30-hour-per-year maximum imposed by county regulations. The two exceptions were homes that are not included in the requirement because their owners have voluntary agreements with the company.

While research has linked high levels of infrasound to symptoms such as headache and nausea, the levels created by the turbines are too low to pose health risks, said Chris Ollson, an environmental health scientist who spoke at the meeting.

But residents who testified during the public comment part of the meeting dismissed the data, saying the infrasound and shadow flicker are still taking a toll.

"It's changed our life dramatically," said Joe Cobb, who lives close to the wind farm. "And I don't care how many experts come up here and tell me it's perfectly normal. It's not perfectly normal."

Several of the complaints the company has yet to resolve were made by people who spoke at the meeting, said Steve Stengel, director of communications for NextEra. "We will continue to seek a satisfactory resolution with these individuals," Stengel said in an email following the meeting.

Commissioner Darryl Glenn said his colleagues and county staff would review residents' concerns and some of the research that was provided by objectors.

Glenn also encouraged residents to use the formal complaint process, outlined in NextEra's contract with the county, to express their concerns about the effects of the windmills.

Under the terms of the contract, commissioners have the option to "require additional and reasonable mitigation or

remedial actions" if NextEra does not adequately address complaints.

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<http://www.krdo.com/news/top-stories/calhan-wind-farm-situation-remains-unresolved/411990993>

## **Calhan wind farm situation remains unresolved**

*Nextera says turbines are within safety guidelines*

**By:** Scott Harrison

**Posted:** Mar 23, 2017 06:38 PM MDT    **COLORADO**

COLORADO SPRINGS, Colo. - An El Paso County commissioner said Thursday that safety and health concerns regarding the Nextera wind farm in Calhan may never be resolved to everyone's satisfaction.

"I don't know that it's within our authority to consider at this point in time," said Commissioner Mark Waller. "It's been approved. The process has already taken place to allow Nextera to operate a wind farm."

Ever since the wind farm opened last fall, a small but vocal group of current and former neighbors has expressed concern that noise, other types of sound called infrasound and shadow flicker from turbine blades have sickened people and animals.

"I had to move away because I was sick," said Jeff Wolfe. "My wife stays behind to care for our animals and she's getting sick. I put my life savings into our home."

Wolfe said 10 to 15 families have moved away from Calhan because of the situation.

Commissioners on Thursday held a hearing on the matter that lasted nearly four hours.

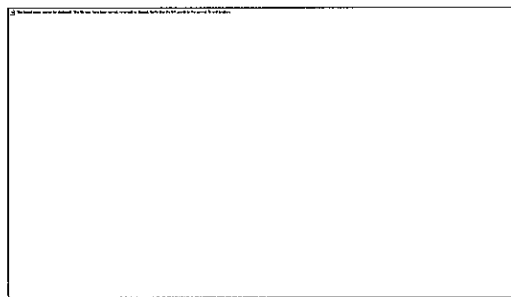


John Dailey, a Nextera spokesman, declined an interview request from KRDO NewsChannel 13 to explain what else besides the wind farm could be affecting health.

But in a presentation during the hearing, Dailey cited Nextera studies, and research from two consultants, which state the wind farm is well within the health and safety guidelines established in the company's permit from the county.

"Generally speaking, (any) complaints (or) impacts have been attributed to infrasound, which is a form of noise," he said. "We've received complaints of that nature from four or five individuals -- some of them, multiple times."

Several Nextera critics said they conducted their own research, including a study by a Boulder-based acoustics expert who suggested the wind farm should close.



Commissioners said they don't have enough information yet to decide what, if any, action to take.

"We're going to hold Nextera accountable to make sure they're meeting their obligations," Waller said. "We're

trying to be unbiased about the situation. This is the first time we as a commission (with two new members) are learning about the history of the situation and the level of concern."

At an undetermined future hearing, commissioners said they want to learn more about how Nextera responds to complaints from neighbors.

Some neighbors said Nextera is slow to respond or hasn't responded at all, and criticized commissioners for their lack of action.

Commissioners Darryl Glenn and Longinos Gonzalez Jr., both asked upset neighbors to follow an established complaint process.

"It's extremely important because it's an obligation that we're held to," Glenn said. "We can't hold Nextera responsible for not doing what they're (supposed to) if the complaint hasn't been submitted (properly)."

Dailey said Nextera will work harder to communicate with affected neighbors, and that the company wants to see the results of the private research presented at the hearing.

The wind farm has 145 turbines and a 29-mile transmission line. The company sells electricity to Xcel Energy.

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[http://www.ricentral.com/coventry\\_courier/residents-complain-of-issues-with-turbines/article\\_32004724-1028-11e7-9df6-5762fa374322.html](http://www.ricentral.com/coventry_courier/residents-complain-of-issues-with-turbines/article_32004724-1028-11e7-9df6-5762fa374322.html)

## **Residents complain of issues with turbines**

Kendra Lollo Mar 23, 2017 RHODE ISLAND

COVENTRY — Citing increasing concerns from constituents in her ward regarding Wind Energy Development's newly-installed wind turbines, Councilwoman Karen Carlson made a public plea this week with town officials to "take notice and listen."

The District 1 councilwoman read excerpts of correspondence she had received from residents surrounding the turbines.

"Our dream of sitting outside behind our house enjoying some peace and quiet no longer exists," said a resident of Flat River Road. "We sit on the deck at night and all we can hear are the windmills. We open our bedroom window and all we can hear are the windmills. There is not one day that goes by that we don't hear it. The ones who benefit from it don't have to deal with the effects of these windmills."

Carlson quoted another resident of West Long Bridge Road, who said they were experiencing issues with shadow flicker from the propellers of the turbine, particularly when the sun is setting. The home owner requested that the turbines be shut down during that time on a daily basis, citing the town's existing wind energy ordinance.

"During the time of shadow flicker, the wind energy facility shall be shut down so as to eliminate shadow flicker issues," the ordinance reads. "The presence of shadow flicker shall be measured at the property boundary lines and at locations within 2,500 feet of the wind energy facility."

The ordinance also indicates that the applicant, when proposing the turbines, is required to prove that the flicker effect will not have "significant adverse impact" on the neighboring properties.

"I'd like to know what the hell we're going to do about this," Carlson said, apologizing for the language. "These are tax payers. They're not getting anything from these turbines, and it's time to take notice and listen. We need to do it now."

Carlson also pointed out that the town's own noise ordinance says that excessive noise degrades quality of life.

¶ CFor the people who move out to Greene and Western Coventry, they're out there because they want a country rural lifestyle without a lot of noise," she said.

Town Manager Graham Waters said that he has referred the complaints to the zoning department, and some even to DePasquale himself, who Waters said requested to be put in contact with residents who experience issues with the turbines.

"I've made no qualms about interfering on behalf of residents," Waters said. "But I feel that if Mr. DePasquale can intervene first and take care of their issues directly and have a direct line of conversation with them, I think that would be the most beneficial."

"We're not supposed to rely on him to do something for the residents when we already have an ordinance," Carlson replied.

Waters said that because the turbines were constructed in May of 2016 and have just recently come online, he has been referring complaints to the zoning department for further investigation.

The same homeowner who reached out to Carlson regarding the shadow flicker also informed her that water from the wetland abutting their property was backing up and overflowing a segment of a nearby access road under which Wind Energy Development had installed a conduit for the turbines. The resident feared that the continued erosion of the road would lead to exposure of the electrical conduit which was installed in October of 2015. When the individual contacted DePasquale, they were told a depression would be made in the newly installed road to allow for proper drainage, but it was never actually made.

"The culvert that Wind Energy constructed has become blocked, causing the water to back up and flow over the road itself, washing out the dirt and gravel covering the road."

Carlson said the Department of Environmental Management was able to acquire a cease and desist notice

because Wind Energy Development was not issued permits to modify the wetland in the area. She called the incident "disturbing," and asked that a town official conduct an inspection of the area.

"What I would like a zoning official to go out there and finally look at this," she said. "Somebody from the town should be there checking our Chapter 200 which is our soil erosion chapter."

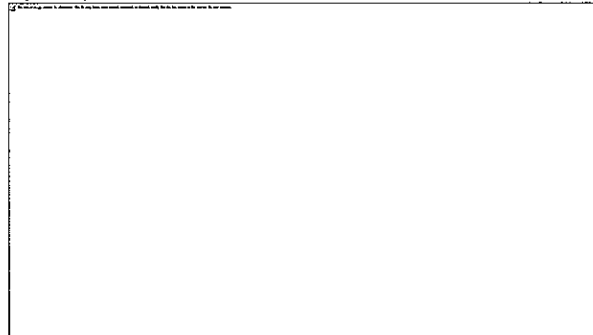
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<http://www.kdlt.com/2017/04/04/lincoln-county-increases-restrictions-wind-turbines/>

## **Lincoln County Increases Restrictions For Wind Turbines**

April 4, 2017 SOUTH DAKOTA

Sydney Kern



CANTON, S.D. – It was a tough night for a company that wants to build a wind farm in Lincoln County.

County commissioners approved some zoning changes.

Dakota Power Community Wind wants to build a farm with nearly 300 turbines.

But commissioners voted to put some tougher restrictions on how quiet they have to be. Dakota Power wanted a top noise limit of 65 decibels, but commissioners set the limit at 45 decibels.

The company says that is unrealistic based on a study they conducted testing the current noise in the county.

"The noise level ranged from 36.4. DBA to 51.3 DBA, so in some areas the decibel level was already exceeded before we even did anything," says Rob Johnson, with Dakota Power Community Wind.

Commissioners also discussed a second zoning change.

This one dealt with the setback distance, which is how far the turbines have to be from public roads and homes.

The current distance is 1,320 ft., or three times the height of the turbine.

The Planning Commission recommended increasing it to 5,200 ft., or one mile.

The county commissioners said this decision is the toughest they'll have to make, since it could determine whether or not Canton and surrounding cities could grow in the future.

They decided to table it for now, so they can look into more research on the topic.

Dakota Power Community Wind says they can deal with the noise restrictions, though it will make their project much more difficult.

But they said if the county adds setback restrictions, then they will have to kill the project.

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<http://northcountrynow.com/news/citizens-opposed-parishville-and-hopkinton-wind-turbines-vent-pilot-tax-and-lease-agreement>

## **Citizens opposed to Parishville and Hopkinton wind turbines vent PILOT, tax and lease agreement concerns to legislators**

Wednesday, April 5, 2017 - 11:46 am NEW YORK



**By MATT LINDSEY**

CANTON -- Members of the Concerned Citizens for Rural Preservation attended a St. Lawrence County Legislature meeting Monday to dispute claims made by an environmental health scientist and business developer relating to proposed wind turbines.

Four community members, Will Dailey, Lucia Dailey, Gary Snell and Lori Witherell all spoke at the meeting during a public comment period disputing claims made by Avangrid associates Christopher Ollson, an environmental health scientist, and Scott McDonald, a business developer.

Ollson and McDonald made the presentation to legislators March 27.

Avangrid, a subsidiary of Iberdrola, is heading the North Ridge Wind Farm which calls for about 40 wind towers, about 500 feet high, to be constructed on land in Hopkinton and Parishville.

The concerned citizens group opposes claims made that property values do not decrease when a wind farm moves into an area. They also say Avangrid employees have had contact with school and town officials relating to Payment in Lieu of Tax (PILOT) contracts versus taxes. Other concerns were clauses contained in lease agreements and wind power taking money away from the Robert Moses Power Dam.

Will Dailey expressed concerns about a confidentiality clause and right to terminate clause he read in a lease between a landowner and Avangrid.

He told legislators that should landowners wish to complain publicly about issues (such as noise, visual impairment or flickering the light), that they (landowners) would have to submit complaints directly to Avangrid before it could be printed for the public to see.

"You should read the lease agreements -- they are a hoot," Dailey said in an interview with North Country This Week April 5. His wife, Lucia, was also interviewed.

He says the agreements do not allow landowners to terminate their lease, but includes the option for the wind company to do so.

Mr. Dailey says an Amish friend of his bought land a few years ago that had a lease agreement. The Amish man was allegedly told by an Avangrid representative that he could in fact get out of the agreement, a contradiction of what his agreement states.

"I don't know if all of these leases are the same," Mr. Dailey said. "Neighbors should be getting together to discuss the leases and I am not sure that is happening." = 2

Mr. Dailey's wife, Lucia, says claims that wind farms do not decrease property values are false.

"They say there is no decrease – but when property values are going up everywhere else and remaining the same near wind farms – that shows property values decrease near wind farms," she said. So although property values may not decrease on paper, with other property values rising in other parts of the state, land near wind farms does not increase in value at the same rate, according to studies the Daileys have read.

The Concerned Citizens for Rural Preservation are receiving help from other towns, including Vermont, Massachusetts and across the state, who have challenged wind farms or who are facing the same situation now.

"Other communities (that have wind farms) are coming to us with information about the health effects from the turbines," Mrs. Dailey said. "A couple in Vermont were forced to abandon their home because they couldn't stand them anymore."

She also said people from nearby Chateaugay have approached the group warning them about property values. The couple claims that they have been unable to sell their home for anything close to what they put into it, all because of wind turbines in the area..

Mrs. Dailey says that Avangrid officials have informally contacted local officials about PILOTS. According to Mrs. Dailey, Avangrid representatives stated they have not had contact with local officials. She says Parishville Town Supervisor Rodney Votra said he was approached about PILOTS. He allegedly made the comment at a town hall meeting.

"We are pretty sure," Avangrid has had private, individual meetings with the superintendent and the Hopkinton town supervisor, she said.

Mrs. Dailey said she believes school and town officials saw PILOTS as free money if the project does happen. She says information they've gathered shows that PILOTS would not provide the same financial gain for the area as taxes would.

Staying with the financial impact on the region, Mrs. Dailey says wind turbines would have an impact on the Robert Moses hydropower dam in Massena.

Mrs. Dailey says she was going door-to-door discussing wind power and a power worker told her the power dam would have to cut back its production so it would not overload the grid.

She says studies have shown that wind turbines generally produce just 20 to 25 percent of their capacity. "It is unreliable and not that efficient." "Why take on a project that pays taxes to basically offer a subsidy to the wind company," P D Dailey asked.

Mr. Dailey said it was "nice of the legislators to put up with the public coming to meetings." "I am hopeful they (legislators) will bring themselves up to speed."

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<http://www.fairmontsentinel.com/news/local-news/2017/04/06/citizens-oppose-wind-farm-project/>

## **Citizens oppose wind farm project**

Apr 6, 2017

**Anna Boettcher Staff Writer MINNESOTA**

BLUE EARTH — Representatives of the Coalition for Rural Property Rights spoke before the Faribault County Commission this week, presenting opposition to a proposed industrial wind energy installation in the county. Citizens packed the commissioners room at the Courthouse to voice their concerns regarding placement of wind turbines.

The current setback for non-participating residences is 1,000 feet. The average rotor diameter of wind energy turbines has been steadily increasing, leading many citizens to believe the current setback requirement is not enough to protect non-participating lands and residences.

The Coalition requested that the board consider increasing setbacks from non-participating dwellings to 10 times the rotor diameter of the wind turbine to be installed, which is comparable to the ordinance adopted in Goodhue County.

Many of these Faribault County residents believe the placement of the wind turbines is infringing on their rights. Community members discussed several points regarding the wind turbine placement, including limitations on hunting rights, firearm use, agricultural prosperity and residents' quality of life. They believe large-scale wind turbines can cause harm to people in the form of loss of enjoyment of property through added noise, shadow flicker and a complete change to their environment, which is almost completely out of their control. Most object to an object, roughly the size of a Boeing 747, over 400 feet in the air constantly moving within 1,000 to 1,500 feet of them, said one resident.

Carolyn Zierke offered her perspective on the proposed wind turbines:

*"By allowing growers to protect their crops during the most important time in a plant's life, it means, for you as a county, an additional local revenue of over \$3.8 billion by not placing 120 turbines on productive farmland ... Why are counties overlaying an industrial zone on top of a productive agricultural zone? This county has the highest*

*producing ground in the state ... Don't compromise the soil structure that these growers have built in this county, or the investment in tile to properly drain these productive crops that we grow, because the revenue generated from the state's highest-producing county has a rippling effect on the community."*

Dan Warner also weighed in.

*"Don't get mesmerized by the apple," he said. "The apple is money. These [wind turbines] are money. Please don't let the illusion of big money, generated by these big machines, cloud your judgment in protecting the residents who are forced to live around these big machines. These same people, and these same families, who populate our schools and shop in our small towns are the ones who are trying to carve out a life out there. These are the same families that have elected you to protect them. Please don't bite the apple."*

Shanelle Montana, project developer for the Rose Lake Wind Project in Faribault County, spoke on behalf of EDF and its proposed project, defending the company and its standards. Montana said the company encourages this type of conversation, hoping the citizens' questions were answered.

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**Monday, April 10, 2017**

## **Conservation Groups Sue Over Proposed Turbine, OPSB Rejects Application For Offshore Wind Farm**

A pair of bird conservation groups is suing the Ohio Air National Guard to halt the proposed construction of a wind turbine near Lake Erie.

The American Bird Conservancy and the Black Swamp Bird Observatory previously filed notices they intended to sue last year.

The complaint in the U.S. District Court for the District of Columbia alleges the project will violate the Endangered Species, Migratory Bird Treaty, the Bald and Golden Eagle Protection, and the National Environmental Policy acts.

Named as defendants are U.S. Air Force Acting Secretary Lisa Disbrow, OANG Col. Andy Stephan, U.S. Fish and Wildlife Service Acting Director Jim Kurth, and U.S. Department of the Interior Secretary Ryan Zinke.

The groups are requesting the court force the government to prepare a new biological opinion, obtain new permitting under the MBTA and BGEPA laws and prepare a new environmental impact statement.

The filing argues the project will "impair the interest of" the groups and individuals who observe, study, enjoy and benefit from local birds. The project, they argue, "will be built by killing, harassing or otherwise taking birds in this unique migratory area."

The groups contend that an environmental assessment from the government shows the adverse impact the project is expected to have. That assessment states one of the project's purposes as studying the impact of wind energy on factors including the deaths of birds and bats as the result of such turbines.

"In short, the stated purpose of the project is to observe how many birds (and bats) - including numerous federally protected species - the turbine will kill by being placed in a crucial migratory pathway and globally important bird area so that ANG can then 'make recommendations,'" the lawsuit reads.

The OANG previous determined the project would not a "significant impact" on the natural environment, according to a 2016 study.

**Icebreaker:** The Ohio Power Siting Board rejected the application of an unrelated project to construct an offshore windfarm in Lake Erie, saying the application lacked sufficient information.

The six-turbine, 20 megawatt wind farm would be situated eight miles off the Cleveland coast and would mark the first freshwater wind farm in the nation.

But in a letter from OSPB Chairman Asim Haque, the board informed project members that the group's Feb. 1 application and its supplemental application March 13 failed to comply with administrative code.

That's because the applicants referred to two memorandums of understanding that were not included in the application materials. They include agreements on monitoring the project's impact on both fisheries and other aquatic resources and on birds and bats. (Docket)

"At such time as the applicant files in this proceeding copies of these two MOUs, signed by at least the applicant and the Ohio Department of Natural Resources, staff will revisit its compliance determination," Mr. Haque wrote.

Applicants are prohibited from commencing construction on any part of the facility without a certificate from the board.

Opponents, including the aforementioned BSBO and ABC, have voiced concerns about the impact on wildlife and argued the project could be a stepping stone to thousands of turbines constructed on the lake.

"The combined scale of U.S. and Canadian wind aspirations for Lake Erie is at least 2,700 turbines, or about 9,300 MW," the groups said in comments. "It is therefore essential that every effort be made by LEEDCo to prepare a fundamentally sound, quantitative risk assessment of mortality to bird and bat species known to be in the area, especially protected species covered by the Endangered Species Act, Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act and their Canadian equivalents."

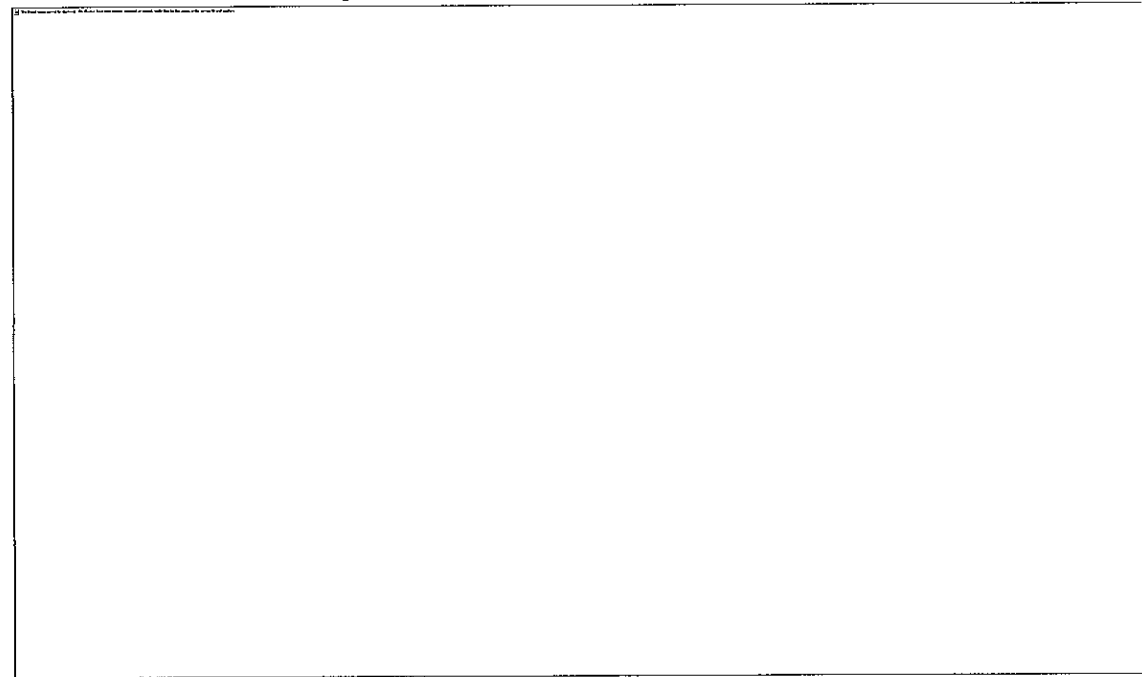
But proponents, including Sen. Matt Dolan (R-Chagrin Falls), say the project will drive economic and environmental investment in the region.

"Ultimately, Icebreaker could position Cleveland as a central North American hub for the emerging U.S. offshore wind industry," Sen. Dolan wrote in public testimony filed last month.

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[http://www.cleveland.com/neobirding/index.ssf/2017/03/birding\\_groups\\_sue\\_ohio\\_air\\_na.html](http://www.cleveland.com/neobirding/index.ssf/2017/03/birding_groups_sue_ohio_air_na.html)

## **Birding groups sue Ohio Air National Guard to block wind-turbine at Camp Perry**



The Black Swamp Bird Observatory joined the American Bird Conservancy on Monday in a federal lawsuit to block construction of a wind turbine at Camp Perry due to fears it would destroy migrating birds and bats. *(Photo courtesy of Black Swamp Bird Observatory)*



By James F. McCarty The Plain Dealer  
on March 27, 2017 at 4:35 PM

WASHINGTON, D.C. - State and national birding groups sued the Ohio Air National Guard on Monday, asking a federal court to block construction of a large wind turbine at Camp Perry near Lake Erie.

The Black Swamp Bird Observatory, based in Oak Harbor in Ottawa County, suspects the proposed wind turbine would violate the Endangered Species Act, posing as a lethal bird-killing machine for bald eagles and migrating songbirds and bats.

BSBO joined with the American Bird Conservancy to file the 31-page lawsuit in U.S. District Court in Washington.

A spokeswoman for the Ohio Air National Guard declined to comment.

"We're not aware of the lawsuit, and would not be able to comment on any litigation," said Stephanie Beougher of the Adjutant General's Department.

Michael Hutchins, director of ABC's Bird-Smart Wind Energy Program, called the National Guard turbine project a "disaster," and "perhaps the worst possible place for wind energy development."

The planned construction site is located less than a mile from Lake Erie and situated in one of the largest confluences of migratory birds and bats in the world, Hutchins said. In addition to numerous bald eagle nests, the lakeshore in that area provides passage for endangered species such as Kirtland's warbler and piping plover.

"We have many peer-reviewed studies documenting the impact of wind energy on birds and bats," said Kimberly Kaufman, BSBO's executive director. "And yet it takes a lawsuit to protect one of the most important migratory bird stopover habitats in the Western Hemisphere."

The birding groups are asking the court to halt the project until the National Guard obtains the proper permits and

conducts environmental impact assessments required by the Endangered Species Act.

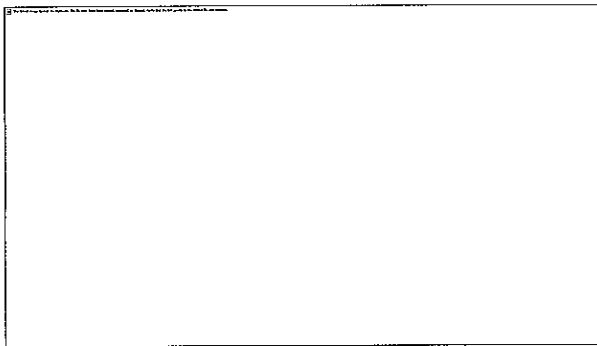
In 2014, the BSBO and Bird Conservancy successfully halted construction of the 600-kilowatt wind turbine after determining the Air National Guard had failed to obtain the proper certifications.

The National Guard subsequently completed an environmental assessment and obtained permission from the U.S. Fish & Wildlife Service, which the BSBO and Conservancy maintain are inadequate. The birding groups have cited a new radar study that shows vast numbers of migratory birds and bats move through the area, flying at altitudes that would bring them within the 198-foot rotor-swept zone of the Camp Perry turbine.

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<http://www.chicagotribune.com/news/opinion/commentary/>

## **Commentary: Wind turbines around the Great Lakes? A terrible idea for birds, bats**



Wind Power Jens  
Dresling / AP  
Wind turbines at  
Flakfortet near  
Copenhagen.

**Michael Hutchins**  
The rush is on to build  
scores of large,

commercial wind energy facilities in and around the Great Lakes, in Canada and the United States. From the proposed Galloo Island and Lighthouse projects in New York to Camp Perry and Icebreaker in Ohio and Amherst Island and White Pines in Ontario, developers are looking to flood the region with renewable energy. But at what cost?

Many see renewable energy, including wind energy, as an important way to cut our dependence on fossil fuels and address global climate change. But this "green" revolution has a dark side. Collisions with wind turbines are killing hundreds of thousands of birds and bats annually. When you include collisions and electrocutions at associated power lines and towers, the number of birds killed climbs into the tens of millions.

These impacts are likely to grow along with the number of turbines and power lines constructed, a number that is increasing rapidly. American Bird Conservancy estimates that by 2050, when wind energy is projected to produce 35 percent of our electrical energy, as many as 5 million birds per year could be killed by turbines in the United States alone.

From the perspective of wildlife conservation, the Great Lakes are one of the worst possible places to put wind energy. During spring and fall, these large freshwater lakes pose a significant barrier to birds and bats during their annual migration to and from the boreal forests of Canada where they breed. Vast numbers of birds and bats, many of which migrate at night, gather along the shorelines and eventually fly along or over the lakes. Advanced radar studies conducted by the U.S. Fish and Wildlife Service in Michigan, Ohio and New York have all confirmed the danger that large-scale wind energy development poses to migratory birds and bats in the region.

The Great Lakes themselves are also an important habitat for water birds. Lake Erie was recently designated a Globally Important Bird Area because of the large numbers of water birds that use the lake. Large-scale commercial wind turbines have the potential to threaten or displace them.

Only through proper risk assessment, siting and post-construction monitoring can such conflicts with wildlife be avoided or contained. At present, regulations governing siting are weak at best. Paid consultants to the wind industry conduct the risk assessments and also collect and report post-construction mortality data — a direct conflict

of interest. Some companies have sued to keep their data secret, making public oversight difficult if not impossible.

If any area in the United States and Canada should be avoided for wind energy development, it is the Great Lakes region, one of the world's largest confluences of migratory birds and bats. The cumulative impact of the many existing and planned projects in the region could be substantial and cannot be evaluated on a case-by-case basis.

We must make clean energy a priority, but how we do it is important. Our ecologically and economically important birds and bats should not be collateral damage in our battle against climate change.

*Michael Hutchins is director of the American Bird Conservancy's Bird-Smart Wind Energy campaign.*

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Statehouse News  
April 7, 2017

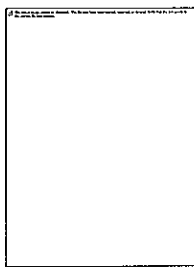
## **New Member Profile: Riedel To Pursue Decentralized Government, Competitive Economy**

Craig Riedel had longer than most freshman lawmakers to prepare for his first day in the Ohio House - something he says he didn't take for granted.

The Defiance Republican toppled incumbent Tony Burkley in the March 2016 primary and, with no Democratic challenger, got a free pass in the general election.

He used the extra time to form relationships with his new constituents and use their feedback to hone his legislative agenda, he said.

"It was very, very beneficial for me to have that time where instead of having to worry about running in the November general election I was able to focus most of my time and energy on just getting around...and getting to know more people within my district," he said in an interview.



Rep. Riedel

Rep. Riedel, 50, represents the 82<sup>nd</sup> District, which is a conservative area of northwest Ohio covering Defiance, Paulding, Van Wert and part of Auglaize counties. He and his constituents are most interested in policies that would rejuvenate the economy in that region and the entire state, he said.

Having worked at Nucor Corporation for 27 years, the lawmaker said he'd always been focused on attracting businesses to the state and keeping them here. However, he was inspired further through his campaigning, which included knocking on about 4,600 doors.

"We walked through parts of communities that we would have never walked through. That was very sobering to me and my wife because we didn't realize the amount of poverty we have here in northwest Ohio. It's much more severe than I ever imagined," Mr. Riedel said.

"That just reinforced my passion to help people and I think I can help people by bringing better paying jobs to Ohio and northwest Ohio."

His strategies for doing so will include allowing the free market to take control and reducing "unnecessary, burdensome" regulations on businesses, particularly when they hinder growth.

Rep. Riedel said he's a proponent of right-to-work and recently introduced legislation (HB 163) that would permit cities to opt out of prevailing wage.

"It's all about making Ohio more competitive, particularly where I live up here...there are border counties with Indiana and we are in a constant battle with the state of Indiana for good paying jobs, manufacturing jobs."

When it comes to giving control back to local communities or businesses, Rep. Riedel said: "I feel that way about everything."

"I just think we govern best when more decisions are made on a local level," he said.

Rep. Riedel said he's opposed to requiring schools to implement Common Core learning standards and will do his best to ensure taxes aren't increased at the state level.

His wife of 28 years, Danette, is his best counsel when it comes to developing policy and responding to constituent concerns, Rep. Riedel said. Both have forgone other occupations to make the General Assembly a top priority for their family.

"She's been a tremendous help to me with her consultation and her outlook on things. This really is a team effort," he said.

He and his wife have two children, both who graduated from Ohio State University. An OSU alumnus himself, Rep. Riedel said his family are faithful Buckeyes fans and are football season ticket holders.

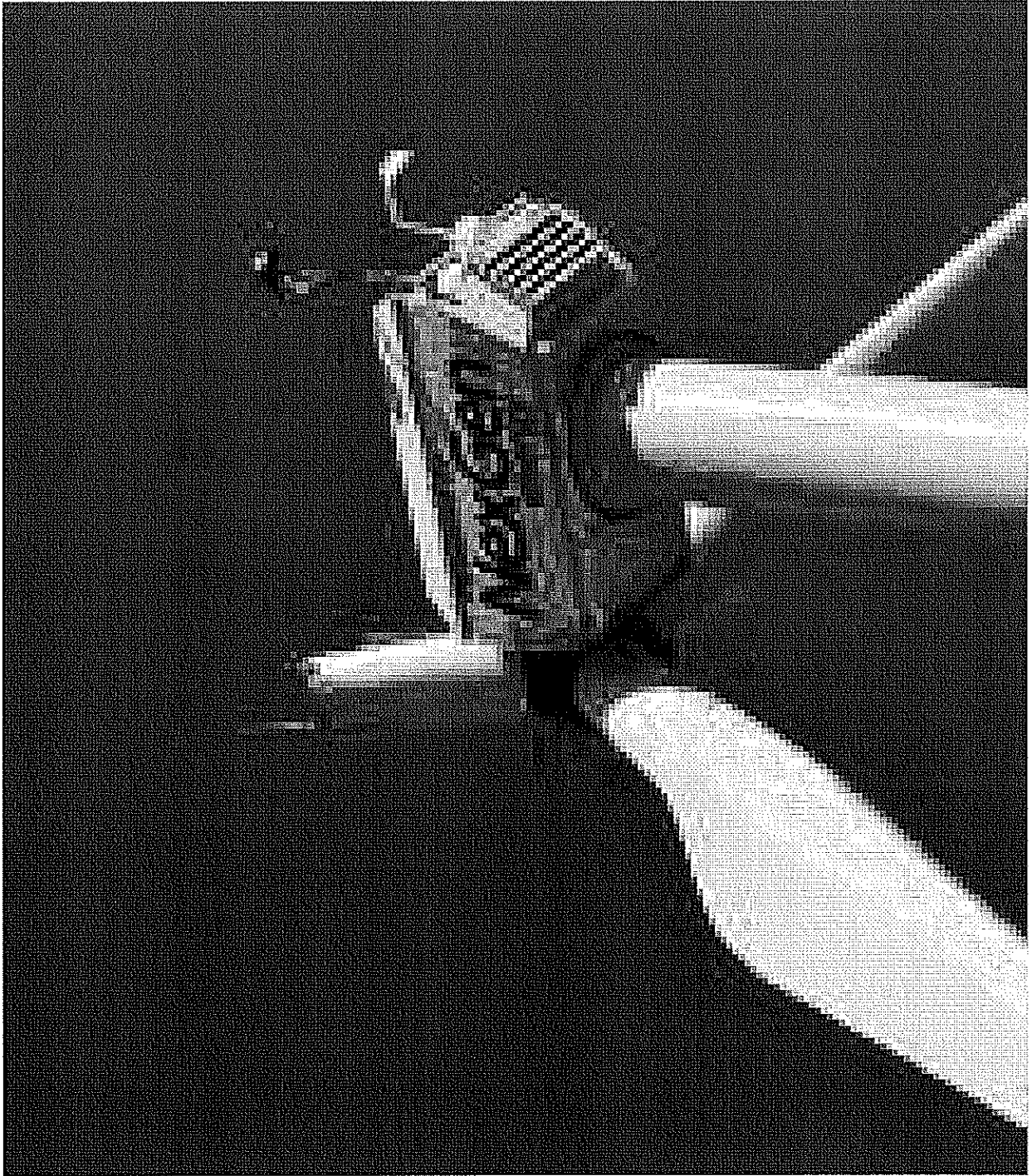


Virus-free. [www.avg.com](http://www.avg.com)

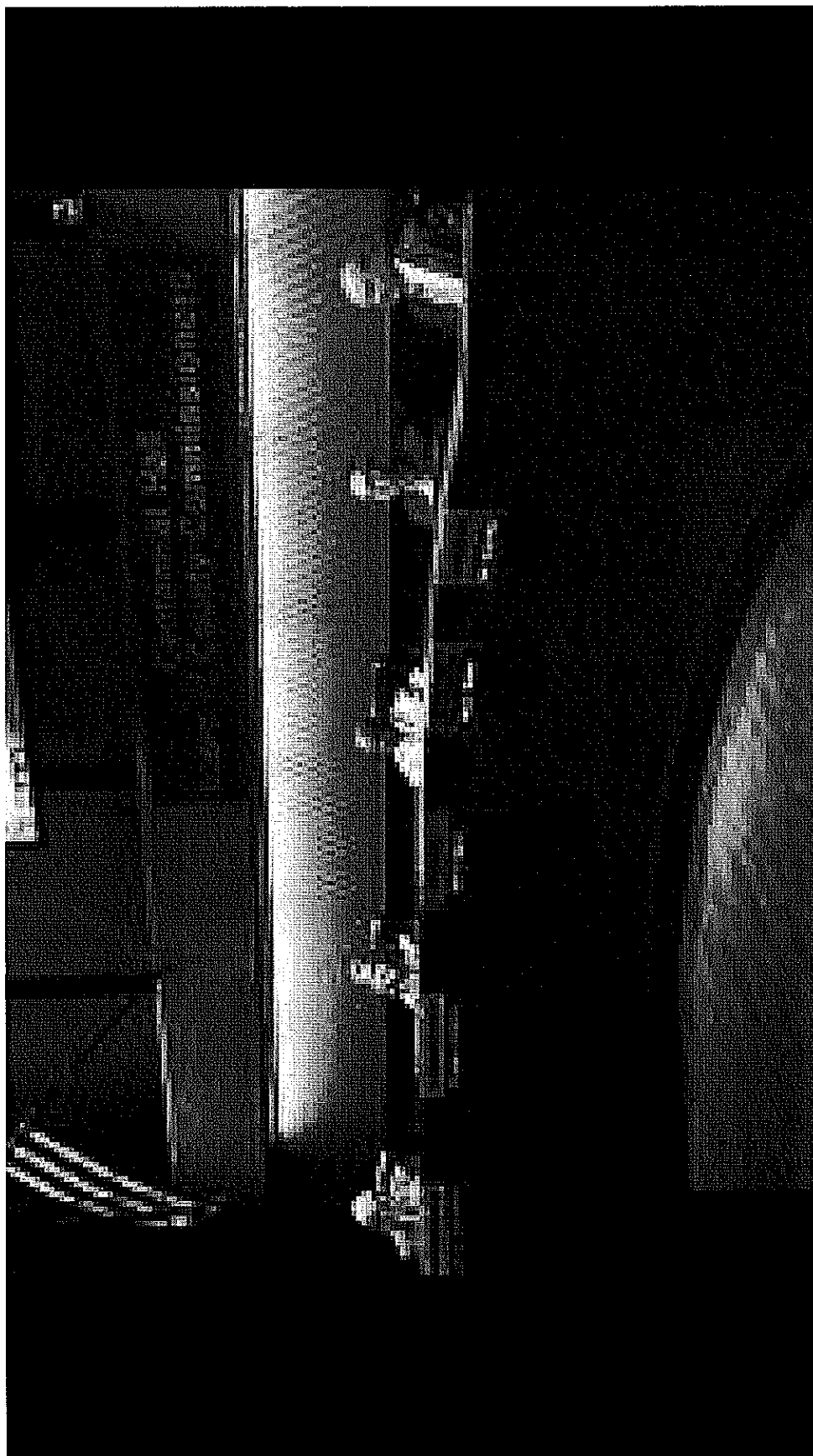
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# *Letter to the Editor*



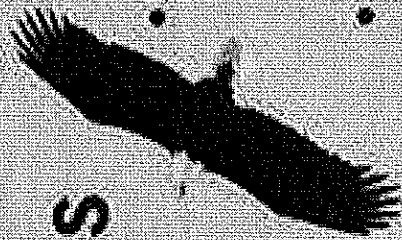








**KEEP  
WIND TURBINES  
OFF OUR  
LAKE SHORE**

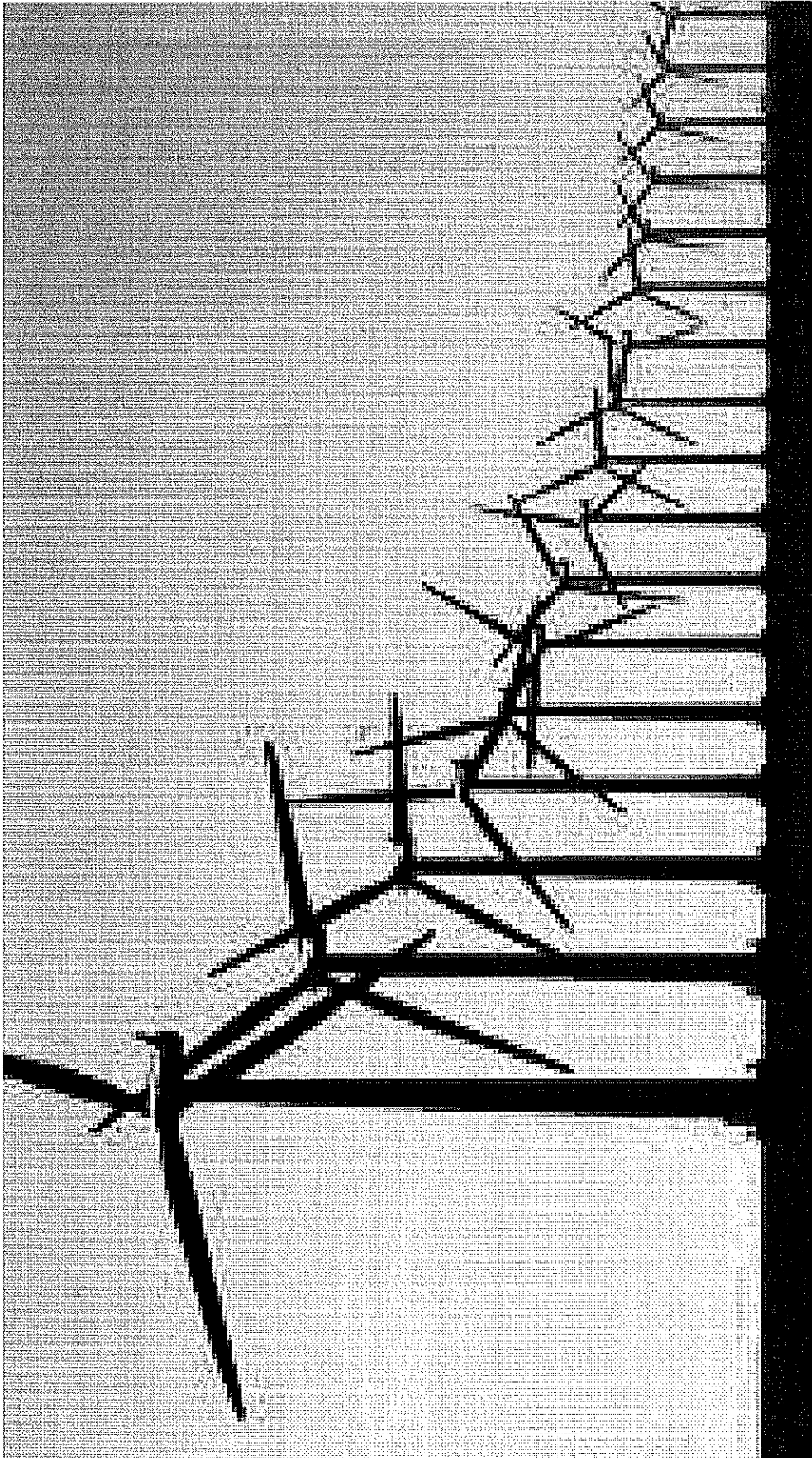


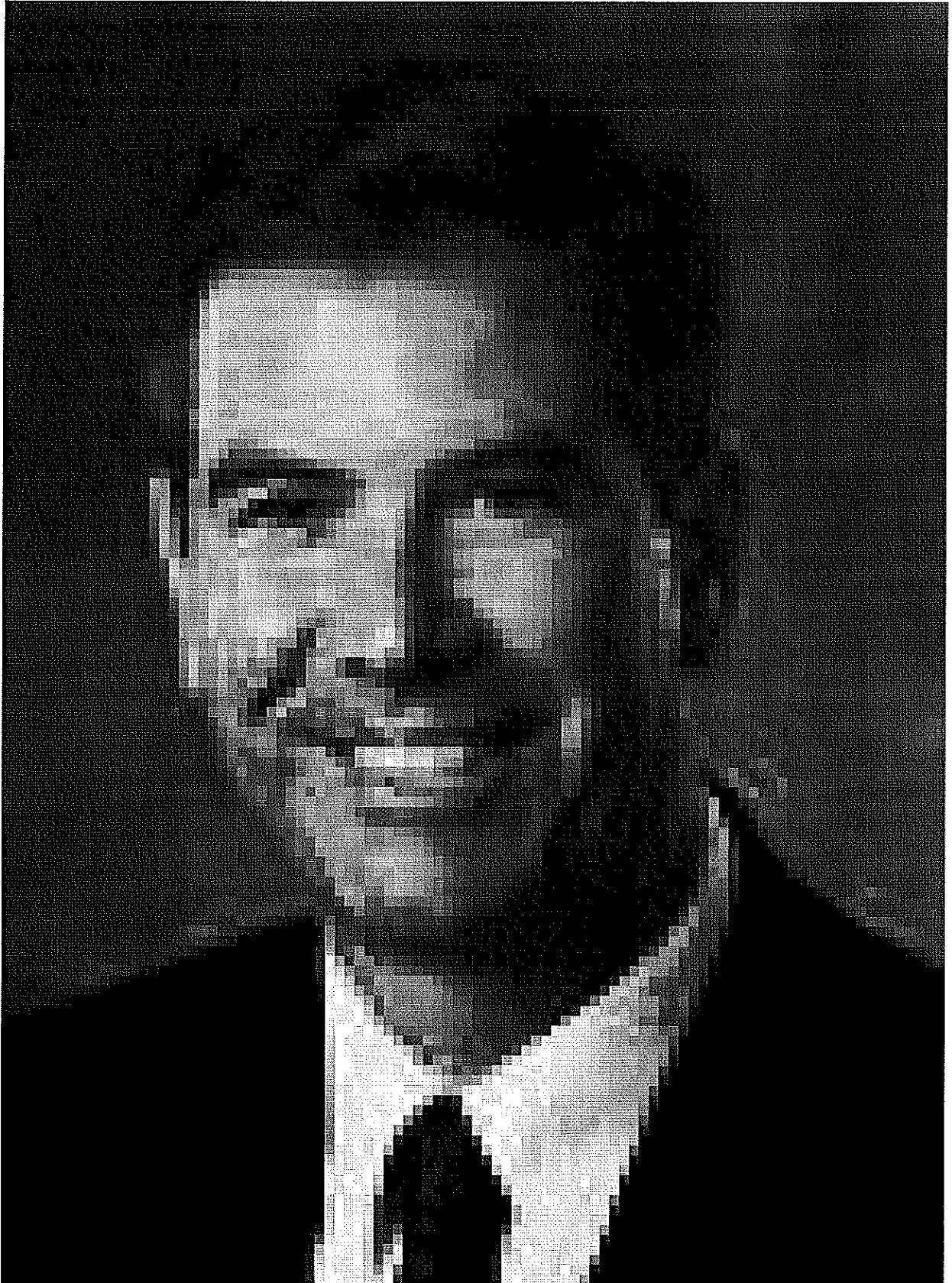
**SAVE**

- BALD EAGLES
- WATERFOWL HUNTING
- BIRD WATCHING
- TOURISM
- THE LOCAL ECONOMY

**LOCATION MATTERS!**

2363







**From:** Rep30  
**Sent:** Wednesday, April 12, 2017 8:05 AM  
**To:** 'Kevon Martis'  
**Subject:** FW: Wind News - Ohio Setbacks in Play  
**Attachments:** mime-attachment.jpg; mime-attachment.jpg; mime-attachment.jpg; mime-attachment.jpg; mime-attachment.png; mime-attachment.jpg; mime-attachment.jpg; mime-attachment.jpg

FYI

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**From:** Rep30  
**Sent:** Wednesday, April 12, 2017 7:51 AM  
**To:** Rep84 <Rep84@ohiohouse.gov>; Rep88 <Rep88@ohiohouse.gov>; Rep82 <Rep82@ohiohouse.gov>; Cliff Hite (LIO) <Hite@ohiosenate.gov>; Beagle@ohiosenate.gov; Balderson@ohiosenate.gov; Frank Strigari <Frank.Strigari@ohiosenate.gov>; Lehman, Ryan <Ryan.Lehman@ohiohouse.gov>; Kasych, Shawn <Shawn.Kasych@ohiohouse.gov>  
**Cc:** Dumski, Allie <Allie.Dumski@ohiohouse.gov>; Benjamin, Abigail <Abigail.Benjamin@ohiohouse.gov>; Leach, Eric <Eric.Leach@ohiohouse.gov>; Emilie Regula <Emilie.Regula@ohiosenate.gov>; Ethan Zucal <Ethan.Zucal@ohiosenate.gov>; Rachael Mains <Rachael.Mains@ohiosenate.gov>  
**Subject:** FW: Wind News - Ohio Setbacks in Play

Please read every word of this long chain. There is no way on God's Green Earth that we should even consider for a millisecond changing the wind setbacks in the budget. Any of you that want to discuss this topic, I am game but not in the budget and the ardor to change them should be tempered by what you read below.

---

**From:** Kevon Martis <[kevon@kevonmartis.com](mailto:kevon@kevonmartis.com)>  
**Date:** April 11, 2017 at 9:04:53 PM EDT  
**To:** julia johnson <[juliejohnson@ctcn.net](mailto:juliejohnson@ctcn.net)>, "Seitz, William" <[william.seitz@dinsmore.com](mailto:william.seitz@dinsmore.com)>  
**Subject:** Re: Wind News - Ohio Setbacks in Play

A "flier"???? IT's from the f\*\*\*\*\* Michigan State University Extension, Greening Michigan Institute, Government and Public Policy Team!!!! That's the best they have?

MSE extension educates every planning commissioner in the State of Michigan!

Sorry...tired.

On 4/11/2017 8:52 PM, julia johnson wrote:

Friends,

We regret that a series of computer malfunctions left us out of communication over the past two weeks. During that time the wind industry lobby has been working to get the Ohio Senate to insert a provision in the budget bill rolling back the current property line setback. At the same time, Rep. Bill Seitz has suggested that some kind of compromise on setbacks may need to be inserted in the mandate repeal bill (HB 114) when it is considered in the Senate. Seitz tells us that might be the cost of getting a veto-proof majority of Senate votes necessary to override a veto by Governor Kasich. As we understand it, a setback-related amendment to HB 114 would give township trustees the power to override current setbacks. When asked about conflicts of interest, Rep. Seitz said, *"Under my proposal, the trustees could not vote if they were participating leaseholders. My guess is that letting the trustees override the state setbacks would not result in much change as the people in the township would likely pressure them to not approve it."* What we do not know at this point is whether the township trustees would be given the opportunity to lengthen setbacks as well as shorten them.

AWEA and the environmentalists are working hard to reverse protective setbacks. What we hope does not happen, is that the current setbacks are changed AND the township trustees are given authority to put them back only to preexisting property line measurements. There seems to be no dialog on noise or shadow flicker just distance.

In the meantime, during the past two weeks the press has reported setback controversies in Michigan, South Dakota, Rhode Island, Minnesota and Colorado. And those are just the stories we noticed.



We also draw your attention to the LeedCo Icebreaker project (aka taxpayer boondoggle) in Lake Erie. The OPSB did not accept the application as complete and has requested the LeedCo resubmit. Today the American Bird Conservancy wrote in the Chicago Tribune that all turbines should be kept out of the Great Lakes due to enormous projections of migratory slaughter. We understand that many, many people wrote comments in opposition to the LeedCo project. Now that the application must be submitted, we are told all those comments will be lost and the public will have to start over.

We are glad to be back on line and urge everyone to call their local legislators to counter the spin coming from AWEA. Cut and paste the articles about problems in other states to demonstrate these problems are real.

Diane and Julie

PS We include at the very bottom a profile of first term Ohio Rep. Craig Riedel from Defiance.

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Ohio Statehouse News

April 11, 2017 OHIO

## **Wind, Environmental Groups Eyeing Senate For Budget Amendment To Reduce Wind Setback**

A coalition of wind energy advocates is laying the groundwork for a budget effort to reduce Ohio's turbine setback once the two-year spending measure arrives in the Senate.

Advocates said in interviews they believe senators are more amenable to their proposal to revert the setback to what it was before lawmakers increased it to 1,125 feet in a 2014

mid-biennium review budget bill, effectively killing new wind farm development.

At the same time, members of both House caucuses submitted proposed budget amendments last week offering several options to reduce the current setback.

A proposal from Rep. Bill Reineke (R-Tiffin), for instance, would reduce the setback to one-and-a-half times the height of the turbine. Although not as lenient as the pre-2014 setback, he believes it's a "good compromise" between the two sides.

"Wind is a big resource in my district and I've had a lot of requests for those setbacks to be looked at," Rep. Reineke said. "It increases it slightly over what it was pre-2014. And it changes some of the hearing requirements for the neighbors to be able to sign off if they would choose to do so. It gives it a little bit more flexibility."

Rep. Reineke said he believes there's an appetite in the House to reexamine the issue.

Whether any of those amendments will make it into the House's substitute budget (HB 49) bill expected to be unveiled April 25 is yet to be seen. But even if the House chooses to pass on the issue, advocates believe the Senate may be more willing to act.

"I certainly think there's a possibility of it (happening)," said Dayna Baird Payne, who represents the American Wind Energy Association and other proponents. "I think there is some openness in the Senate currently."

She credits much of that openness to Sen. Cliff Hite (R-Findlay), whose district would likely contain any new wind development. But advocates say the Senate overall has greater institutional knowledge of the issue and offers an easier route to generate a consensus given its smaller size.

"I think there's some understanding on that leadership team this is an issue about economic development and removing an artificial market barrier," Ms. Payne said. "If a company wants to build a wind project, locals want that

project and an end user wants to purchase that wind, this stands in the way and prevents it."

The Sierra Club and the Ohio Environmental Council are among other groups hoping for a setback change in the Senate. At the same time, they continue pushing back against a Michigan State University document some Republican representatives have said justifies an additional increase in the setback.

Rep Keith Faber (R-Celina) and Rep. Bill Seitz (R-Cincinnati) have repeatedly pointed to the document in recent weeks, saying that if the legislature really wants to take the issue back up it should increase the setback to 2,500 feet.

Wind supporters, though, point out that what the lawmakers have called a "study" is referred to as a "flier" by its author and that it states a setback equal to the tower's height would be adequate. Under that rationale, they said, the state's previous setback would suffice.

"We're watching this issue," OEC General Counsel Trent Dougherty said. "Obviously, we don't believe there should be even more of an increase...so we're watching for that and expressing our opposition."

Sierra Club Ohio Chapter Director Jen Miller called the idea "ridiculous," since turbine development has already come to a virtual halt under the current setback.

"Eighty percent of wind in Ohio is actually serving markets outside of Ohio," Ms. Miller said. "We should just be fixing our problem now. We've already zoned ourselves out of the wind business."

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<http://www.marion-press.com/2017/03/wind-turbines-unsafe-at-any-distance/>

The Marion Press - MICHIGAN

Tuesday, April 11, 2017

## **“Wind Turbines: Unsafe at any distance”**



Dear Editor:

Last December, one of the turbines at the Stoney Corners wind facility burst into flames and was completely destroyed. Black smoke darkened the sky and heavy winds spread ash and burning particles on fields and properties nearby. For days the acrid odor of smoldering composites lingered in the air and seeped into my home along with several other homes in the area of the fire.

By the next day, what was left of the turbine was hauled off and some of the contaminated top soil was bulldozed into a pile where it still sits, three months later. What assurance is there that contaminants from the burned turbine are not filtering into the groundwater below?

Heritage Sustainable Energy, who owns the project, told the local press that turbine fires have never happened before in McBain. That may be so, but as a wind developer, Heritage is well aware that fire is the second largest cause of turbine failure worldwide and the problem is growing. Heritage touts wind power as clean and emission free but no one ever mentions the toxic pollutants released when the blades and other parts of the nacelle are ignited or the hazards of inhaling the gas and particles emitted by the fire.

“More than ten of the 28 Heritage turbines are sited within two miles of my home with the closest just 1700 feet away.” Back in 2008 when I agreed to sign a contract with Heritage, something I deeply regret, no one informed me of the dangers of living so close to the spinning towers. I can tell you first hand that wind turbines are not safe for humans, animals, birds of all sorts, the environment, or your electric bill. They are Not Green, Not Clean and Not Cheap.

If the state and its legislators continue to blindly insist that wind turbines are safe, they should advocate projects be

sited on State and Federal land away from communities where they pollute our countryside and put people and property at risk.

There are alternatives to wind power that do not carry the same dangers and that are safer for humans, animals, birds and our countryside. Be warned and say "no" to wind power in your community.

***Dianne Ziegler***

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<http://www.faribaultcountyregister.com/page/content.detail/id/512142/Fighting-the-winds-of-change.html>

## **Fighting the winds of change Pilot Grove Township residents want stricter wind ordinance**

**April 9, 2017**

Cody Benjamin - Register Staff Writer Faribault County Register **MINNESOTA**

When the Coalition for Rural Property Rights stormed the Faribault County Courthouse on Tuesday, it was not an officially licensed organization.

But in claiming support from nearly 90 percent of Pilot Grove Township residents, overflowing the county commissioners room with agricultural advocates and literally standing in unison to plead for greater setbacks and a more restrictive ordinance pertaining to wind turbines in the county, it made its stance as official as could be.

The Coalition brands itself as "a group of Iowa landowners standing against the encroachment of industrial wind installations," but its representatives at Tuesday's meeting mostly identified themselves as Pilot Grove residents particularly ones perturbed at a Rose Lake Wind Project proposed by the independent power producer EDF Renewable Energy.

The Faribault County Board meeting room was overflowing last Tuesday, when residents of Pilot Grove Township and

others testified before the commissioners about their concerns about wind turbine development.

With at least four locals reading prepared statements, several others chiming in from behind walls of other guests and the County Board forced to oversee crowded seating arrangements as much as the discussion at hand, the Coalition prefaced a visit from EDF's Shanelle Montana, a senior project developer, with adamant requests for a crackdown on turbines.

Not one of the guest speakers denied the financial benefit of wind generation, which Montana went on to crown as "an additional resource" for "cheap electricity" and therefore an obvious draw for local businesses. But complaints of everything from noisy turbine malfunctions to an alleged ignorance of the county's agricultural roots rang loud and clear as the Coalition suggested the commissioners adopt the Goodhue County wind-structure ordinance, which enforces greater setbacks than that of Faribault County's renewable energy restrictions.

Paul Carr, who said he has mostly been a lifelong Pilot Grove Township resident, helped kick off the campaign. "I come here," Carr said, "representing and on behalf of about 88 percent of Pilot Grove Township residents, who have signed a petition to increase a setback of commercial wind generators to non-participating residences."

Saying that current setbacks, which dictate that wind turbines can be placed roughly 1,000 to 1,500 feet from such residences, are "not far enough to prevent material harm" such as added noise, shadow flicker and "a complete change of environment," Carr asked that local constituents be prioritized over the economic boosts of projects like the one proposed by EDF.

Montana later countered by suggesting the EDF project, which would span from Pilot Grove Township into Martin County, would not begin taking shape until 2020. By that point, such a project would not be federally subsidized, therefore potentially lessening the financial burden on local communities.

**But concerns remained.**

"Most object to an object roughly the size of a Boeing 747, over 400 feet in the air and constantly moving, being placed within 1,000 to roughly 1,500 feet of them," Carr said. "Without more setbacks for large wind turbines, the county may find itself with more money to spend on a public garage (only) to serve its fewer residents."

Carolyn Zierke, a local agronomist of 25 years, wondered aloud why counties, especially Faribault County, would even consider uprooting or impeding upon signature farmlands for the sake of wind projects.

"Why are counties overlaying an industrial zone on top of a productive agricultural zone?" she asked. "A turbine is not a piece of farm equipment, and it is not a farm structure."

Dan Moore, once a director of project development for Renewable Energy Solutions and one of the developers behind Blue Earth's Big Blue Windfarm, agreed.

"I sat here in this same seat 14 years ago," Moore said, referencing a decades-old visit to the County Board regarding turbine development. "Today, I am here as a retired wind generator developer ... and I am asking for the adoption of the Goodhue County ordinance."

Reviewing his own history in campaigning for wind energy, Moore reminded the board that he helped other turbines, including those at Winnebago's Corn Plus ethanol plant, come to life.

But after discovering some of the faults of turbine projects, particularly noisy side effects, he made it clear Tuesday that he was standing with none other than the waves of Pilot Grove people behind him.

"Had I known they would be this noisy, guys," he said, referring to the Big Blue turbines, "listen, I would never have started developing that project."

Producing an apple from his shirt pocket and leaving it on the guest podium in front of the commissioners, Moore asked the board to overlook promises of more money for the concerns of the rural residents.

"Don't get mesmerized by the apple money," he said.

"Don't let the illusion of big money generated by these big machines cloud your judgment in protecting the residents who are forced to live around these big machines. These are the families that have elected you guys to protect them, so please don't bite the apple."

Others reiterated the alluring, albeit apparently deceiving, role of money in the matter.

"In the end, it seems like the money always wins," one man said from the mass of guests, saying the county already houses 22 industrial-sized turbines. "EDF is on the agenda after us, and I'm sure they're going to tell you how great this is, how every project they've built has left counties rich and happy, because that's what this big push for wind is all about money."

When Montana, of EDF, was finally summoned to speak, weaving through the crowd of standing guests to make herself seen, she did not ignore money's part in the discussion.

But her first point centered on the fact that EDF will not pursue any project, let alone one that allegedly threatens the well-being of nearly an entire township, without the community's support.

"I'm not here to shove a project down anyone's throat," Montana said, recounting her own upbringing as a "farm girl." "I'm just here to present something. We're only here if we have a willing partner, and that partner is a community."

Claiming that the state of Minnesota already owns some of the strictest wind turbine setbacks in the country, Montana assured some of the concerned residents that if any malfunctioning or noisy structures reached certain decibel levels, they would be shut down.

"A decommissioning plan is required with these projects," she noted.



All things considered, Montana still urged the commissioners to weigh their options. "This is up to the community," she said. "I just want you to know that if you have an additional setback, I cannot efficiently and effectively develop a low-cost project."

Pilot Grove visitors flocked to the EDF developer after departing the commissioners room, some alleging that a February public meeting on the proposed turbine project was available through "private invitation only," and others saying they heard EDF partners are contracted not to speak negatively about polarizing projects.

But more talks regarding the future of the project, and the ordinance that might inhibit it, are on the docket.

Commissioner Greg Young, who acknowledged most of the concerns stemmed from a township he represents, agreed with board chairman John Roper that a work session with the county's Planning and Zoning department was in order. A unanimous vote by the commissioners then scheduled that session for April 18, immediately following the board's next regular meeting.

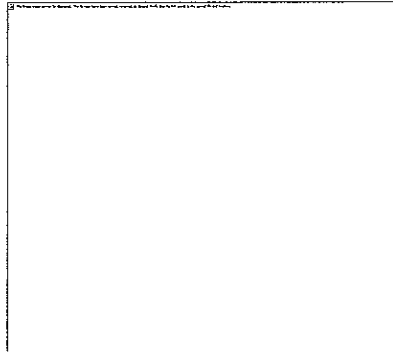
And now, having shared or considered opinions from both sides of a windy spectrum, the county, Montana and the Coalition for Rural Property Rights wait.

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[http://www.starbeacon.com/news/local\\_news/conneaut-wind-turbine-facing-uncertain-future/article\\_2ca4767c-b0e9-5bd2-9215-22d8377023fc.html](http://www.starbeacon.com/news/local_news/conneaut-wind-turbine-facing-uncertain-future/article_2ca4767c-b0e9-5bd2-9215-22d8377023fc.html)

## **Conneaut wind turbine facing uncertain future**

By MARK TODD OHIO



WARREN DILLAWAY | Star Beacon

An arm of a Conneaut Harbor wind turbine was severed by lightning last month.

CONNEAUT — A wind turbine severely damaged by lightning late last month is facing an uncertain future on Conneaut's lakefront.

At Monday's City Council meeting, City Manager James Hockaday said the turbine's owner, NexGen Energy, wants a long-term renewal of its contract with the city before it will proceed with repairs.

The 400-kilowatt turbine was constructed in January 2010 to provide some of the electricity used by the city's sewage treatment plant. On Feb. 25, lightning blew apart one of the turbine's blades. A power surge from the blast also damaged some equipment and fixtures inside the plant.

A contract with NexGen obliges the city to buy electricity generated by the turbine for 10 years. The contract expires in 2020.

Hockaday said NexGen estimates repairs to the turbine will cost \$250,000. To make the fix-up financially feasible for NexGen, the company would require an extension to its contract with the city, he told council.

A contract proposal is being prepared and will be shared with council when it's delivered, Hockaday said. If no agreement on a contract extension is reached, the city would ask the turbine be disassembled and removed.

NexGen said the damage to the turbine was among the most severe the company has experienced, Hockaday said Monday. The extent of damage to the plant is still being assessed, he said.

The biggest concern is a blower motor on one piece of equipment that is not working properly.

In August 2011, 18 months after the turbine was installed, lightning damaged a blade that was replaced several months later.

A NexGen spokesperson could not be reached for comment.

Another NexGen wind turbine, a 600-kilowatt model adjacent to Conneaut Middle School on Gateway Avenue, has been idle for years. NexGen is suing the manufacturer, alleging parts were defective. The turbine, designed to provide electricity to CMS, never performed as planned since it went online in late 2009, according to the lawsuit, filed in 2013.

Repairs to the school turbine won't happen until the lawsuit is settled, NexGen officials said at the time.

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<http://gazette.com/reassurances-fail-to-convince-some-neighbors-el-paso-county-wind-farm-is-safe/article/1599581>

## **Reassurances fail to convince some neighbors El Paso County wind farm is safe**

By: Rachel Riley

March 23, 2017 Updated: March 24, 2017 at 6:21  
am **COLORADO**

Residents living by a wind farm near Calhan say the turbines are affecting their health and harming animals, despite reassurances from experts at this week's El Paso County commissioners' meeting.

Jeff Wolfe, who lives close to NextEra Energy's Golden West wind farm, said he's experienced nausea, dizziness and migraines since it began operating in fall 2015. He attributes the symptoms to the low-frequency sound waves, known as infrasound, emitted by the 145 windmills.

"This is poisoning people. It's poisoning animals," said Wolfe, who has lived at his home between Yoder and Calhan for 20 years. He also blames the turbines for the cardiovascular problems his wife has begun to experience and the death of seven of their animals, including five dogs.

At the meeting, intended to provide commissioners and residents with an update on the wind farm, county staff and NextEra officials presented reports on the sound levels of the windmills and the flickering effect, known as "shadow flicker," that occurs when the sun shines through the turbines' rotating blades. A half-dozen residents also had the chance to air their grievances about the wind farm, approved by commissioners in 2013, which has long been a source of controversy.

Experts told commissioners that study after study has shown the infrasound generated by windmills isn't hazardous to humans, and the levels of infrasound and amount of shadow flicker created by the turbines are in compliance with local regulations and zoning rules.

John Dailey, senior business manager for the Florida-based energy company, said the company has received 83 complaints about the project since March 2015, a month after commissioners OK'd a change to the original construction plan that included a 29-mile above-ground power line.

About 70 of the complaints were made during the seven months the farm was being built and mostly involved construction-related concerns about noise and dust. Of the roughly 15 others that have been made since the \$400 million project was completed, more than half have been resolved, Dailey said.

"I think that's a pretty good track record," he told commissioners.

Assessor Steve Schleiker also presented data from June through January showing property values in the area have not fallen due to the wind farm. Properties sold within a one-mile radius of the turbines and transmission line went for prices well above market values. He also cited numbers from the Pikes Peak Multiple Listing Service that showed that average sale prices of single family homes in the Calhan and Ramah area increased by about 45.5 percent between February 2016 and February 2017.

"Bottom line, it's all good news," he told commissioners.

A consultant with environmental engineering and consulting firm Epsilon Associates, hired by NextEra to conduct studies on sound levels and shadow flicker that were required by its agreement with the county, presented the firm's findings.

One report, which measured noise levels at 15 different locations near the wind farm, concluded that the turbines do not exceed the noise limit set by county ordinance. The second report, which used a computerized model to measure the duration of shadow flicker experienced by homes near the farm, stated that most of the homes experience less than the 30-hour-per-year maximum imposed by county regulations. The two exceptions were homes that are not included in the requirement because their owners have voluntary agreements with the company.

While research has linked high levels of infrasound to symptoms such as headache and nausea, the levels created by the turbines are too low to pose health risks, said Chris Ollson, an environmental health scientist who spoke at the meeting.

But residents who testified during the public comment part of the meeting dismissed the data, saying the infrasound and shadow flicker are still taking a toll.

"It's changed our life dramatically," said Joe Cobb, who lives close to the wind farm. "And I don't care how many experts come up here and tell me it's perfectly normal. It's not perfectly normal."

Several of the complaints the company has yet to resolve were made by people who spoke at the meeting, said Steve Stengel, director of communications for NextEra. "We will continue to seek a satisfactory resolution with these individuals," Stengel said in an email following the meeting.

Commissioner Darryl Glenn said his colleagues and county staff would review residents' concerns and some of the research that was provided by objectors.

Glenn also encouraged residents to use the formal complaint process, outlined in NextEra's contract with the county, to express their concerns about the effects of the windmills.

Under the terms of the contract, commissioners have the option to "require additional and reasonable mitigation or remedial actions" if NextEra does not adequately address complaints.

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<http://www.krdo.com/news/top-stories/calhan-wind-farm-situation-remains-unresolved/411990993>

## **Calhan wind farm situation remains unresolved**

*Nextera says turbines are within safety guidelines*

**By:** Scott Harrison

**Posted:** Mar 23, 2017 06:38 PM MDT    **COLORADO**

COLORADO SPRINGS, Colo. - An El Paso County commissioner said Thursday that safety and health

concerns regarding the Nextera wind farm in Calhan may never be resolved to everyone's satisfaction.

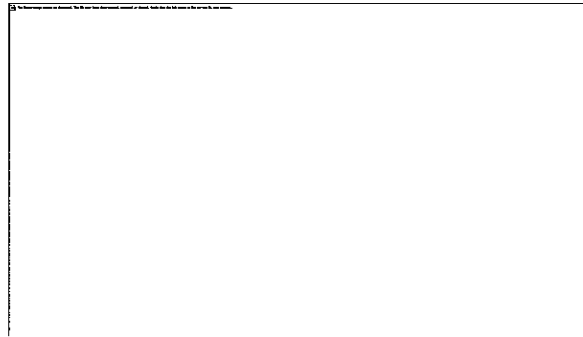
"I don't know that it's within our authority to consider at this point in time," said Commissioner Mark Waller. "It's been approved. The process has already taken place to allow Nextera to operate a wind farm."

Ever since the wind farm opened last fall, a small but vocal group of current and former neighbors has expressed concern that noise, other types of sound called infrasound and shadow flicker from turbine blades have sickened people and animals.

"I had to move away because I was sick," said Jeff Wolfe. "My wife stays behind to care for our animals and she's getting sick. I put my life savings into our home."

Wolfe said 10 to 15 families have moved away from Calhan because of the situation.

Commissioners on Thursday held a hearing on the matter that lasted nearly four hours.

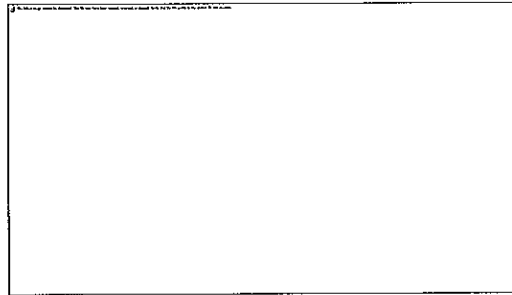


John Dailey, a Nextera spokesman, declined an interview request from KRDO NewsChannel 13 to explain what else besides the wind farm could be affecting health.

But in a presentation during the hearing, Dailey cited Nextera studies, and research from two consultants, which state the wind farm is well within the health and safety guidelines established in the company's permit from the county.

"Generally speaking, (any) complaints (or) impacts have been attributed to infrasound, which is a form of noise," he said. "We've received complaints of that nature from four or five individuals -- some of them, multiple times."

Several Nextera critics said they conducted their own research, including a study by a Boulder-based acoustics expert who suggested the wind farm should close.



Commissioners said they don't have enough information yet to decide what, if any, action to take.

"We're going to hold Nextera accountable to make sure they're meeting their obligations," Waller said. "We're trying to be unbiased about the situation. This is the first time we as a commission (with two new members) are learning about the history of the situation and the level of concern."

At an undetermined future hearing, commissioners said they want to learn more about how Nextera responds to complaints from neighbors.

Some neighbors said Nextera is slow to respond or hasn't responded at all, and criticized commissioners for their lack of action.

Commissioners Darryl Glenn and Longinos Gonzalez Jr., both asked upset neighbors to follow an established complaint process.

"It's extremely important because it's an obligation that we're held to," Glenn said. "We can't hold Nextera



responsible for not doing what they're (supposed to) if the complaint hasn't been submitted (properly)."

Dailey said Nextera will work harder to communicate with affected neighbors, and that the company wants to see the results of the private research presented at the hearing.

The wind farm has 145 turbines and a 29-mile transmission line. The company sells electricity to Xcel Energy.

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[http://www.ricentral.com/coventry\\_courier/residents-complain-of-issues-with-turbines/article\\_32004724-1028-11e7-9df6-5762fa374322.html](http://www.ricentral.com/coventry_courier/residents-complain-of-issues-with-turbines/article_32004724-1028-11e7-9df6-5762fa374322.html)

## **Residents complain of issues with turbines**

Kendra Lollo Mar 23, 2017 RHODE ISLAND

COVENTRY — Citing increasing concerns from constituents in her ward regarding Wind Energy Development's newly-installed wind turbines, Councilwoman Karen Carlson made a public plea this week with town officials to "take notice and listen."

The District 1 councilwoman read excerpts of correspondence she had received from residents surrounding the turbines.

"Our dream of sitting outside behind our house enjoying some peace and quiet no longer exists," said a resident of Flat River Road. "We sit on the deck at night and all we can hear are the windmills. We open our bedroom window and all we can hear are the windmills. There is not one day that goes by that we don't hear it. The ones who benefit from it don't have to deal with the effects of these windmills."

Carlson quoted another resident of West Long Bridge Road, who said they were experiencing issues with shadow flicker from the propellers of the turbine, particularly when the sun is setting. The home owner requested that the turbines be shut down during that time on a daily basis, citing the town's existing wind energy ordinance.

"During the time of shadow flicker, the wind energy facility shall be shut down so as to eliminate shadow flicker issues," the ordinance reads. "The presence of shadow flicker shall be measured at the property boundary lines and at locations within 2,500 feet of the wind energy facility."

The ordinance also indicates that the applicant, when proposing the turbines, is required to prove that the flicker effect will not have "significant adverse impact" on the neighboring properties.

"I'd like to know what the hell we're going to do about this," Carlson said, apologizing for the language. "These are tax payers. They're not getting anything from these turbines, and it's time to take notice and listen. We need to do it now."

Carlson also pointed out that the town's own noise ordinance says that excessive noise degrades quality of life.

"For the people who move out to Greene and Western Coventry, they're out there because they want a country rural lifestyle without a lot of noise," she said.

Town Manager Graham Waters said that he has referred the complaints to the zoning department, and some even to DePasquale himself, who Waters said requested to be put in contact with residents who experience issues with the turbines.

"I've made no qualms about interfering on behalf of residents," Waters said. "But I feel that if Mr. DePasquale can intervene first and take care of their issues directly and have a direct line of conversation with them, I think that would be the most beneficial."

"We're not supposed to rely on him to do something for the residents when we already have an ordinance," Carlson replied.

Waters said that because the turbines were constructed in May of 2016 and have just recently come online, he has been referring complaints to the zoning department for further investigation.

The same homeowner who reached out to Carlson regarding the shadow flicker also informed her that water from the wetland abutting their property was backing up and overflowing a segment of a nearby access road under which Wind Energy Development had installed a conduit for the turbines. The resident feared that the continued erosion of the road would lead to exposure of the electrical conduit which was installed in October of 2015. When the individual contacted DePasquale, they were told a depression would be made in the newly installed road to allow for proper drainage, but it was never actually made.

"The culvert that Wind Energy constructed has become blocked, causing the water to back up and flow over the road itself, washing out the dirt and gravel covering the road."

Carlson said the Department of Environmental Management was able to acquire a cease and desist notice because Wind Energy Development was not issued permits to modify the wetland in the area. She called the incident "disturbing," and asked that a town official conduct an inspection of the area.

"What I would like a zoning official to go out there and finally look at this," she said. "Somebody from the town should be there checking our Chapter 200 which is our soil erosion chapter."

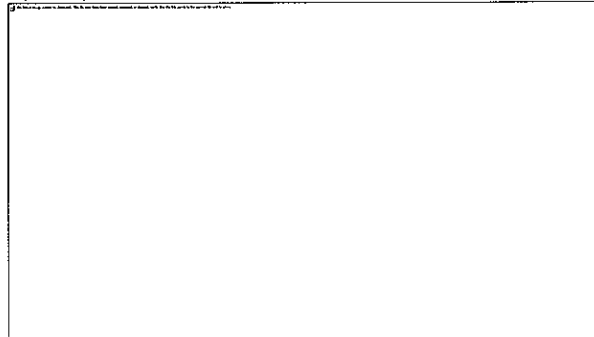
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<http://www.kdlt.com/2017/04/04/lincoln-county-increases-restrictions-wind-turbines/>

# **Lincoln County Increases Restrictions For Wind Turbines**

April 4, 2017 SOUTH DAKOTA

Sydney Kern



CANTON, S.D. – It was a tough night for a company that wants to build a wind farm in Lincoln County.

County commissioners approved some zoning changes.

Dakota Power Community Wind wants to build a farm with nearly 300 turbines.

But commissioners voted to put some tougher restrictions on how quiet they have to be. Dakota Power wanted a top noise limit of 65 decibels, but commissioners set the limit at 45 decibels.

The company says that is unrealistic based on a study they conducted testing the current noise in the county.

"The noise level ranged from 36.4. DBA to 51.3 DBA, so in some areas the decibel level was already exceeded before we even did anything," says Rob Johnson, with Dakota Power Community Wind.

Commissioners also discussed a second zoning change.

This one dealt with the setback distance, which is how far the turbines have to be from public roads and homes.

The current distance is 1,320 ft., or three times the height of the turbine.

The Planning Commission recommended increasing it to 5,200 ft., or one mile.

The county commissioners said this decision is the toughest they'll have to make, since it could determine whether or not Canton and surrounding cities could grow in the future.

They decided to table it for now, so they can look into more research on the topic.

Dakota Power Community Wind says they can deal with the noise restrictions, though it will make their project much more difficult.

But they said if the county adds setback restrictions, then they will have to kill the project.

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<http://northcountrynow.com/news/citizens-opposed-parishville-and-hopkinton-wind-turbines-vent-pilot-tax-and-lease-agreement>

## **Citizens opposed to Parishville and Hopkinton wind turbines vent PILOT, tax and lease agreement concerns to legislators**

Wednesday, April 5, 2017 - 11:46 am NEW YORK

By MATT LINDSEY

CANTON -- Members of the Concerned Citizens for Rural Preservation attended a St. Lawrence County Legislature meeting Monday to dispute claims made by an environmental health scientist and business developer relating to proposed wind turbines.

Four community members, Will Dailey, Lucia Dailey, Gary Snell and Lori Witherell all spoke at the meeting during a public comment period disputing claims made by Avangrid associates Christopher Ollson, an environmental health scientist, and Scott McDonald, a business developer.

Ollson and McDonald made the presentation to legislators March 27.

Avangrid, a subsidiary of Iberdrola, is heading the North Ridge Wind Farm which calls for about 40 wind towers, about 500 feet high, to be constructed on land in Hopkinton and Parishville.

The concerned citizens group opposes claims made that property values do not decrease when a wind farm moves into an area. They also say Avangrid employees have had contact with school and town officials relating to Payment in Lieu of Tax (PILOT) contracts versus taxes. Other concerns were clauses contained in lease agreements and wind power taking money away from the Robert Moses Power Dam.

Will Dailey expressed concerns about a confidentiality clause and right to terminate clause he read in a lease between a landowner and Avangrid.

He told legislators that should landowners wish to complain publicly about issues (such as noise, visual impairment or flickering the light), that they (landowners) would have to submit complaints directly to Avangrid before it could be printed for the public to see.

"You should read the lease agreements – they are a hoot," Dailey said in an interview with North Country This Week April 5. His wife, Lucia, was also interviewed.

He says the agreements do not allow landowners to terminate their lease, but includes the option for the wind company to do so.

Mr. Dailey says an Amish friend of his bought land a few years ago that had a lease agreement. The Amish man was allegedly told by an Avangrid representative that he could in fact get out of the agreement, a contradiction of what his agreement states.

"I don't know if all of these leases are the same," Mr. Dailey said. "Neighbors should be getting together to discuss the leases and I am not sure that is happening."

Mr. Dailey's wife, Lucia, says claims that wind farms do not decrease property values are false.

"They say there is no decrease – but when property values are going up everywhere else and remaining the same near wind farms – that shows property values decrease near wind farms," she said. So although property values may not decrease on paper, with other property values rising in other parts of the state, land near wind farms does not increase in value at the same rate, according to studies the Daileys have read.

The Concerned Citizens for Rural Preservation are receiving help from other towns, including Vermont, Massachusetts and across the state, who have challenged wind farms or who are facing the same situation now.

"Other communities (that have wind farms) are coming to us with information about the health effects from the turbines," Mrs. Dailey said. "A couple in Vermont were forced to abandon their home because they couldn't stand them anymore."

She also said people from nearby Chateaugay have approached the group warning them about property values. The couple claims that they have been unable to sell their home for anything close to what they put into it, all because of wind turbines in the area..

Mrs. Dailey says that Avangrid officials have informally contacted local officials about PILOTS. According to Mrs. Dailey, Avangrid representatives stated they have not had contact with local officials. She says Parishville Town Supervisor Rodney Votra said he was approached about PILOTS. He allegedly made the comment at a town hall meeting.

"We are pretty sure," Avangrid has had private, individual meetings with the superintendent and the Hopkinton town supervisor, she said.

Mrs. Dailey said she believes school and town officials saw PILOTS as free money if the project does happen. She says information they've gathered shows that PILOTS would not provide the same financial gain for the area as taxes would.

Staying with the financial impact on the region, Mrs. Dailey says wind turbines would have an impact on the Robert Moses hydropower dam in Massena.

Mrs. Dailey says she was going door-to-door discussing wind power and a power worker told her the power dam would have to cut back its production so it would not overload the grid.

She says studies have shown that wind turbines generally produce just 20 to 25 percent of their capacity. "It is unreliable and not that efficient." "Why take on a project that pays taxes to basically offer a subsidy to the wind company," Dailey asked.

Mr. Dailey said it was "nice of the legislators to put up with the public coming to meetings." "I am hopeful they (legislators) will bring themselves up to speed."

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<http://www.fairmontsentinel.com/news/local-news/2017/04/06/citizens-oppose-wind-farm-project/>

## **Citizens oppose wind farm project**

Apr 6, 2017

**Anna Boettcher Staff Writer MINNESOTA**

BLUE EARTH — Representatives of the Coalition for Rural Property Rights spoke before the Faribault County Commission this week, presenting opposition to a proposed industrial wind energy installation in the county.



Citizens packed the commissioners room at the Courthouse to voice their concerns regarding placement of wind turbines.

The current setback for non-participating residences is 1,000 feet. The average rotor diameter of wind energy turbines has been steadily increasing, leading many citizens to believe the current setback requirement is not enough to protect non-participating lands and residences.

The Coalition requested that the board consider increasing setbacks from non-participating dwellings to 10 times the rotor diameter of the wind turbine to be installed, which is comparable to the ordinance adopted in Goodhue County.

Many of these Faribault County residents believe the placement of the wind turbines is infringing on their rights. Community members discussed several points regarding the wind turbine placement, including limitations on hunting rights, firearm use, agricultural prosperity and residents' quality of life. They believe large-scale wind turbines can cause harm to people in the form of loss of enjoyment of property through added noise, shadow flicker and a complete change to their environment, which is almost completely out of their control. Most object to an object, roughly the size of a Boeing 747, over 400 feet in the air constantly moving within 1,000 to 1,500 feet of them, said one resident.

Carolyn Zierke offered her perspective on the proposed wind turbines:

*"By allowing growers to protect their crops during the most important time in a plant's life, it means, for you as a county, an additional local revenue of over \$3.8 billion by not placing 120 turbines on productive farmland ... Why are counties overlaying an industrial zone on top of a productive agricultural zone? This county has the highest producing ground in the state ... Don't compromise the soil structure that these growers have built in this county, or the investment in tile to properly drain these productive crops that we grow, because the revenue generated from the state's highest-producing county has a rippling effect on the community."*

Dan Warner also weighed in.

*"Don't get mesmerized by the apple," he said. "The apple is money. These [wind turbines] are money. Please don't let the illusion of big money, generated by these big machines, cloud your judgment in protecting the residents who are forced to live around these big machines. These same people, and these same families, who populate our schools and shop in our small towns are the ones who are trying to carve out a life out there. These are the same families that have elected you to protect them. Please don't bite the apple."*

Shanelle Montana, project developer for the Rose Lake Wind Project in Faribault County, spoke on behalf of EDF and its proposed project, defending the company and its standards. Montana said the company encourages this type of conversation, hoping the citizens' questions were answered.

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**Monday, April 10, 2017**

## **Conservation Groups Sue Over Proposed Turbine, OPSB Rejects Application For Offshore Wind Farm**

A pair of bird conservation groups is suing the Ohio Air National Guard to halt the proposed construction of a wind turbine near Lake Erie.

The American Bird Conservancy and the Black Swamp Bird Observatory previously filed notices they intended to sue last year.

The complaint in the U.S. District Court for the District of Columbia alleges the project will violate the Endangered Species, Migratory Bird Treaty, the Bald and Golden Eagle Protection, and the National Environmental Policy acts.

Named as defendants are U.S. Air Force Acting Secretary Lisa Disbrow, OANG Col. Andy Stephan, U.S. Fish and Wildlife Service Acting Director Jim Kurth, and U.S. Department of the Interior Secretary Ryan Zinke.

The groups are requesting the court force the government to prepare a new biological opinion, obtain new permitting under the MBTA and BGEPA laws and prepare a new environmental impact statement.

The filing argues the project will "impair the interest of" the groups and individuals who observe, study, enjoy and benefit from local birds. The project, they argue, "will be built by killing, harassing or otherwise taking birds in this unique migratory area."

The groups contend that an environmental assessment from the government shows the adverse impact the project is expected to have. That assessment states one of the project's purposes as studying the impact of wind energy on factors including the deaths of birds and bats as the result of such turbines.

"In short, the stated purpose of the project is to observe how many birds (and bats) - including numerous federally protected species - the turbine will kill by being placed in a crucial migratory pathway and globally important bird area so that ANG can then 'make recommendations,'" the lawsuit reads.

The OANG previously determined the project would not a "significant impact" on the natural environment, according to a 2016 study.

**Icebreaker:** The Ohio Power Siting Board rejected the application of an unrelated project to construct an offshore windfarm in Lake Erie, saying the application lacked sufficient information.

The six-turbine, 20 megawatt wind farm would be situated eight miles off the Cleveland coast and would mark the first freshwater wind farm in the nation.

But in a letter from OSPB Chairman Asim Haque, the board informed project members that the group's Feb. 1

application and its supplemental application March 13 failed to comply with administrative code.

That's because the applicants referred to two memorandums of understanding that were not included in the application materials. They include agreements on monitoring the project's impact on both fisheries and other aquatic resources and on birds and bats. (Docket)

"At such time as the applicant files in this proceeding copies of these two MOUs, signed by at least the applicant and the Ohio Department of Natural Resources, staff will revisit its compliance determination," Mr. Haque wrote.

Applicants are prohibited from commencing construction on any part of the facility without a certificate from the board.

Opponents, including the aforementioned BSBO and ABC, have voiced concerns about the impact on wildlife and argued the project could be a stepping stone to thousands of turbines constructed on the lake.

"The combined scale of U.S. and Canadian wind aspirations for Lake Erie is at least 2,700 turbines, or about 9,300 MW," the groups said in comments. "It is therefore essential that every effort be made by LEEDCo to prepare a fundamentally sound, quantitative risk assessment of mortality to bird and bat species known to be in the area, especially protected species covered by the Endangered Species Act, Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act and their Canadian equivalents."

But proponents, including Sen. Matt Dolan (R-Chagrin Falls), say the project will drive economic and environmental investment in the region.

"Ultimately, Icebreaker could position Cleveland as a central North American hub for the emerging U.S. offshore wind industry," Sen. Dolan wrote in public testimony filed last month.

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[http://www.cleveland.com/neobirding/index.ssf/2017/03/birding\\_groups\\_sue\\_ohio\\_air\\_na.html](http://www.cleveland.com/neobirding/index.ssf/2017/03/birding_groups_sue_ohio_air_na.html)

## Birding groups sue Ohio Air National Guard to block wind-turbine at Camp Perry

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The Black Swamp Bird Observatory joined the American Bird Conservancy on Monday in a federal lawsuit to block construction of a wind turbine at Camp Perry due to fears it would destroy migrating birds and bats. *(Photo courtesy of Black Swamp Bird Observatory)*

By James F. McCarty The Plain Dealer  
on March 27, 2017 at 4:35 PM

WASHINGTON, D.C. - State and national birding groups sued the Ohio Air National Guard on Monday, asking a federal court to block construction of a large wind turbine at Camp Perry near Lake Erie.

The Black Swamp Bird Observatory, based in Oak Harbor in Ottawa County, suspects the proposed wind turbine would violate the Endangered Species Act, posing as a lethal bird-killing machine for bald eagles and migrating songbirds and bats.

BSBO joined with the American Bird Conservancy to file the 31-page lawsuit in U.S. District Court in Washington.

A spokeswoman for the Ohio Air National Guard declined to comment.

"We're not aware of the lawsuit, and would not be able to comment on any litigation," said Stephanie Beougher of the Adjutant General's Department.

Michael Hutchins, director of ABC's Bird-Smart Wind Energy Program, called the National Guard turbine project a "disaster," and "perhaps the worst possible place for wind energy development."

The planned construction site is located less than a mile from Lake Erie and situated in one of the largest confluences of migratory birds and bats in the world, Hutchins said. In addition to numerous bald eagle nests, the lakeshore in that area provides passage for endangered species such as Kirtland's warbler and piping plover.

"We have many peer-reviewed studies documenting the impact of wind energy on birds and bats," said Kimberly Kaufman, BSBO's executive director. "And yet it takes a lawsuit to protect one of the most important migratory bird stopover habitats in the Western Hemisphere."

The birding groups are asking the court to halt the project until the National Guard obtains the proper permits and conducts environmental impact assessments required by the Endangered Species Act.

In 2014, the BSBO and Bird Conservancy successfully halted construction of the 600-kilowatt wind turbine after determining the Air National Guard had failed to obtain the proper certifications.

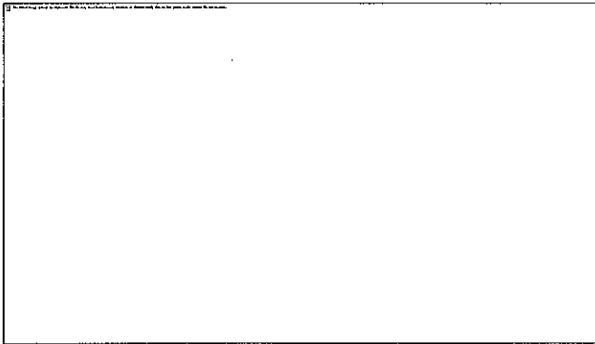
The National Guard subsequently completed an environmental assessment and obtained permission from the U.S. Fish & Wildlife Service, which the BSBO and Conservancy maintain are inadequate. The birding groups have cited a new radar study that shows vast numbers of

migratory birds and bats move through the area, flying at altitudes that would bring them within the 198-foot rotor-swept zone of the Camp Perry turbine.

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<http://www.chicagotribune.com/news/opinion/commentary/>

## **Commentary: Wind turbines around the Great Lakes? A terrible idea for birds, bats**



Wind Power Jens  
Dresling / AP  
Wind turbines at  
Flakfortet near  
Copenhagen.

**Michael Hutchins**  
The rush is on to build  
scores of large,

commercial wind energy facilities in and around the Great Lakes, in Canada and the United States. From the proposed Galloo Island and Lighthouse projects in New York to Camp Perry and Icebreaker in Ohio and Amherst Island and White Pines in Ontario, developers are looking to flood the region with renewable energy. But at what cost?

Many see renewable energy, including wind energy, as an important way to cut our dependence on fossil fuels and address global climate change. But this "green" revolution has a dark side. Collisions with wind turbines are killing hundreds of thousands of birds and bats annually. When you include collisions and electrocutions at associated power lines and towers, the number of birds killed climbs into the tens of millions.

These impacts are likely to grow along with the number of turbines and power lines constructed, a number that is increasing rapidly. American Bird Conservancy estimates

that by 2050, when wind energy is projected to produce 35 percent of our electrical energy, as many as 5 million birds per year could be killed by turbines in the United States alone.

From the perspective of wildlife conservation, the Great Lakes are one of the worst possible places to put wind energy. During spring and fall, these large freshwater lakes pose a significant barrier to birds and bats during their annual migration to and from the boreal forests of Canada where they breed. Vast numbers of birds and bats, many of which migrate at night, gather along the shorelines and eventually fly along or over the lakes. Advanced radar studies conducted by the U.S. Fish and Wildlife Service in Michigan, Ohio and New York have all confirmed the danger that large-scale wind energy development poses to migratory birds and bats in the region.

The Great Lakes themselves are also an important habitat for water birds. Lake Erie was recently designated a Globally Important Bird Area because of the large numbers of water birds that use the lake. Large-scale commercial wind turbines have the potential to threaten or displace them.

Only through proper risk assessment, siting and post-construction monitoring can such conflicts with wildlife be avoided or contained. At present, regulations governing siting are weak at best. Paid consultants to the wind industry conduct the risk assessments and also collect and report post-construction mortality data — a direct conflict of interest. Some companies have sued to keep their data secret, making public oversight difficult if not impossible.

If any area in the United States and Canada should be avoided for wind energy development, it is the Great Lakes region, one of the world's largest confluences of migratory birds and bats. The cumulative impact of the many existing and planned projects in the region could be substantial and cannot be evaluated on a case-by-case basis.

We must make clean energy a priority, but how we do it is important. Our ecologically and economically important



birds and bats should not be collateral damage in our battle against climate change.

*Michael Hutchins is director of the American Bird Conservancy's Bird-Smart Wind Energy campaign.*

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Statehouse News  
April 7, 2017

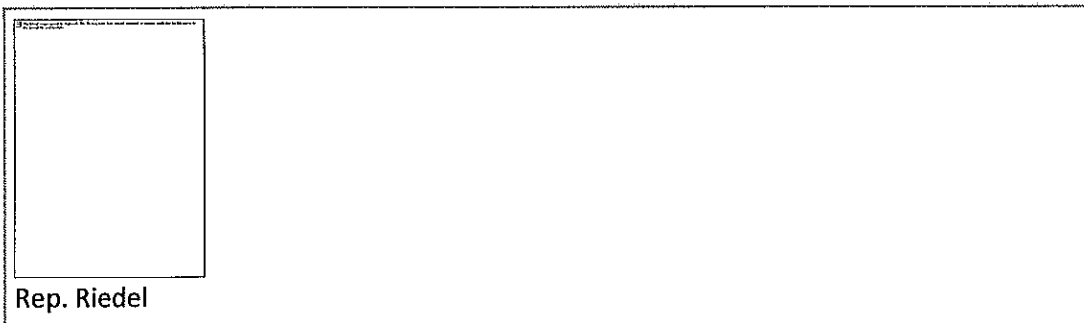
## **New Member Profile: Riedel To Pursue Decentralized Government, Competitive Economy**

Craig Riedel had longer than most freshman lawmakers to prepare for his first day in the Ohio House - something he says he didn't take for granted.

The Defiance Republican toppled incumbent Tony Burkley in the March 2016 primary and, with no Democratic challenger, got a free pass in the general election.

He used the extra time to form relationships with his new constituents and use their feedback to hone his legislative agenda, he said.

"It was very, very beneficial for me to have that time where instead of having to worry about running in the November general election I was able to focus most of my time and energy on just getting around...and getting to know more people within my district," he said in an interview.



Rep. Riedel

Rep. Riedel, 50, represents the 82<sup>nd</sup> District, which is a conservative area of northwest Ohio covering Defiance, Paulding, Van Wert and part of Auglaize counties. He and his constituents are most interested in policies that would rejuvenate the economy in that region and the entire state, he said.

Having worked at Nucor Corporation for 27 years, the lawmaker said he'd always been focused on attracting businesses to the state and keeping them here. However, he was inspired further through his campaigning, which included knocking on about 4,600 doors.

"We walked through parts of communities that we would have never walked through. That was very sobering to me and my wife because we didn't realize the amount of poverty we have here in northwest Ohio. It's much more severe than I ever imagined," Mr. Riedel said.

"That just reinforced my passion to help people and I think I can help people by bringing better paying jobs to Ohio and northwest Ohio."

His strategies for doing so will include allowing the free market to take control and reducing "unnecessary, burdensome" regulations on businesses, particularly when they hinder growth.

Rep. Riedel said he's a proponent of right-to-work and recently introduced legislation (HB 163) that would permit cities to opt out of prevailing wage.

"It's all about making Ohio more competitive, particularly where I live up here...there are border counties with Indiana and we are in a constant battle with the state of Indiana for good paying jobs, manufacturing jobs."

When it comes to giving control back to local communities or businesses, Rep. Riedel said: "I feel that way about everything."

"I just think we govern best when more decisions are made on a local level," he said.

Rep. Riedel said he's opposed to requiring schools to implement Common Core learning standards and will do his best to ensure taxes aren't increased at the state level.

His wife of 28 years, Danette, is his best counsel when it comes to developing policy and responding to constituent concerns, Rep. Riedel said. Both have forgone other occupations to make the General Assembly a top priority for their family.

"She's been a tremendous help to me with her consultation and her outlook on things. This really is a team effort," he said.

He and his wife have two children, both who graduated from Ohio State University. An OSU alumnus himself, Rep. Riedel said his family are faithful Buckeyes fans and are football season ticket holders.

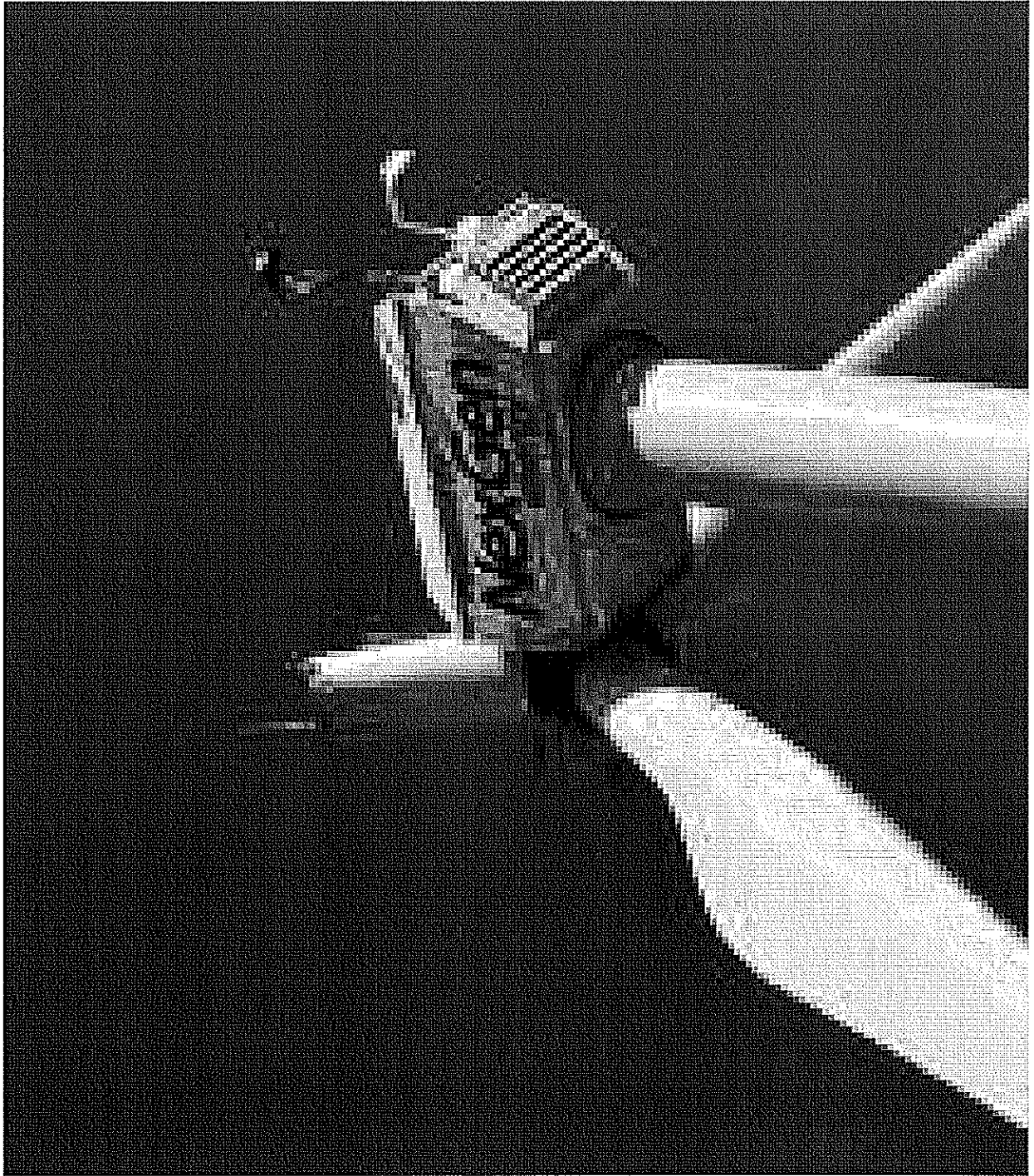


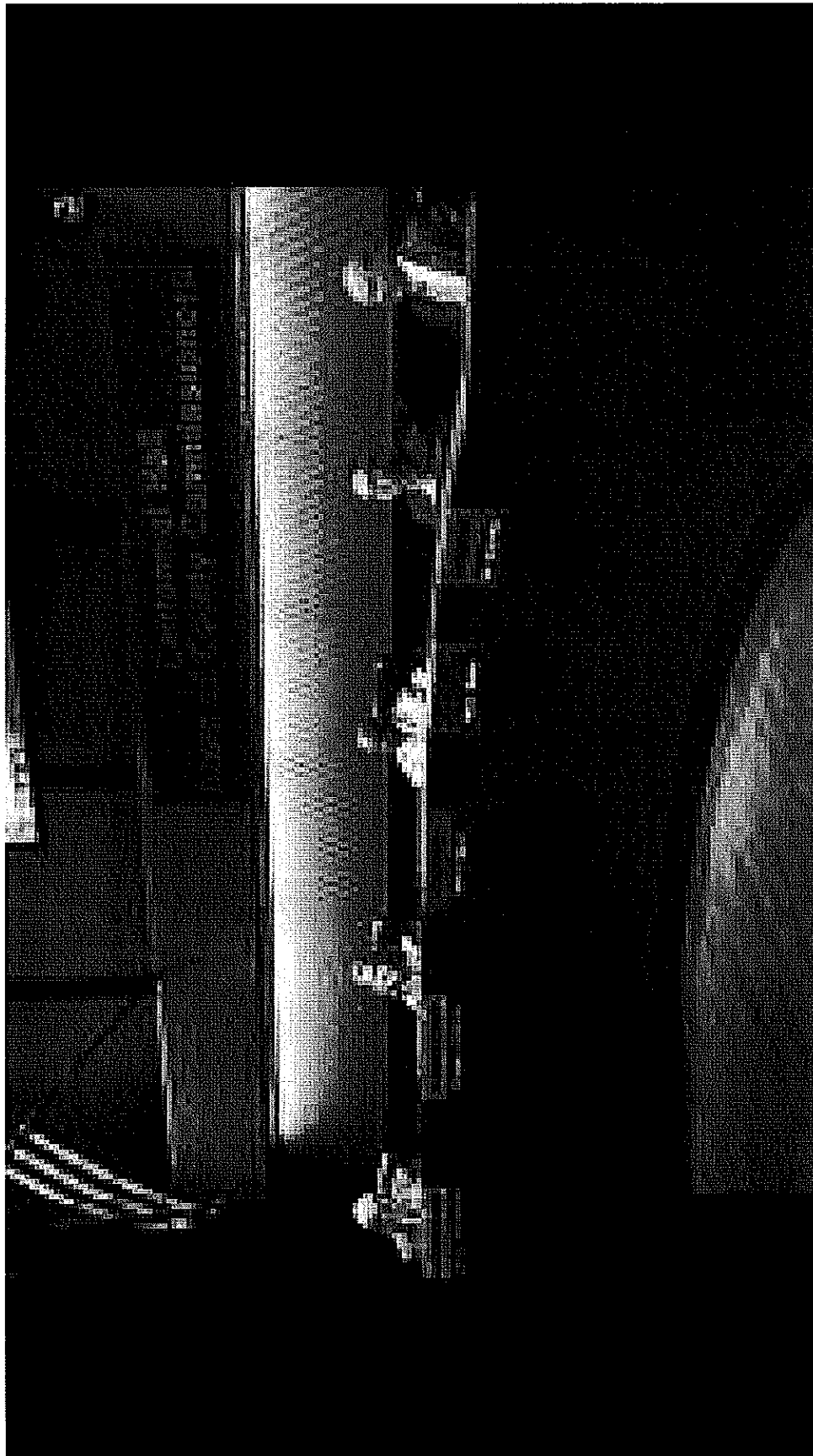
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# *Letter to the Editor*



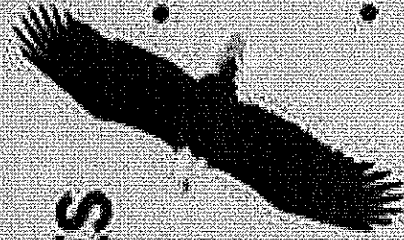








**KEEP  
WIND TURBINES  
OFF OUR  
LAKE SHORE**

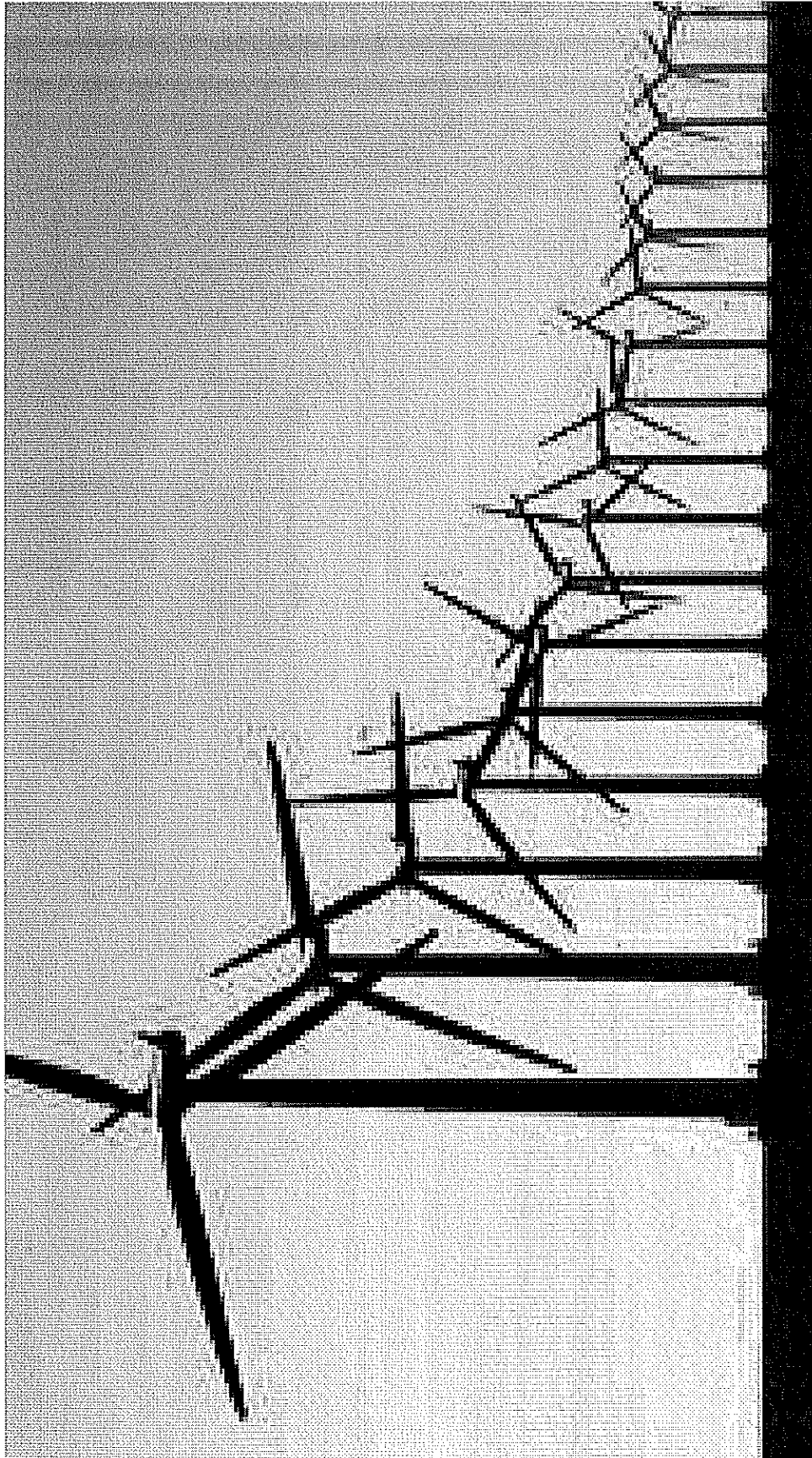


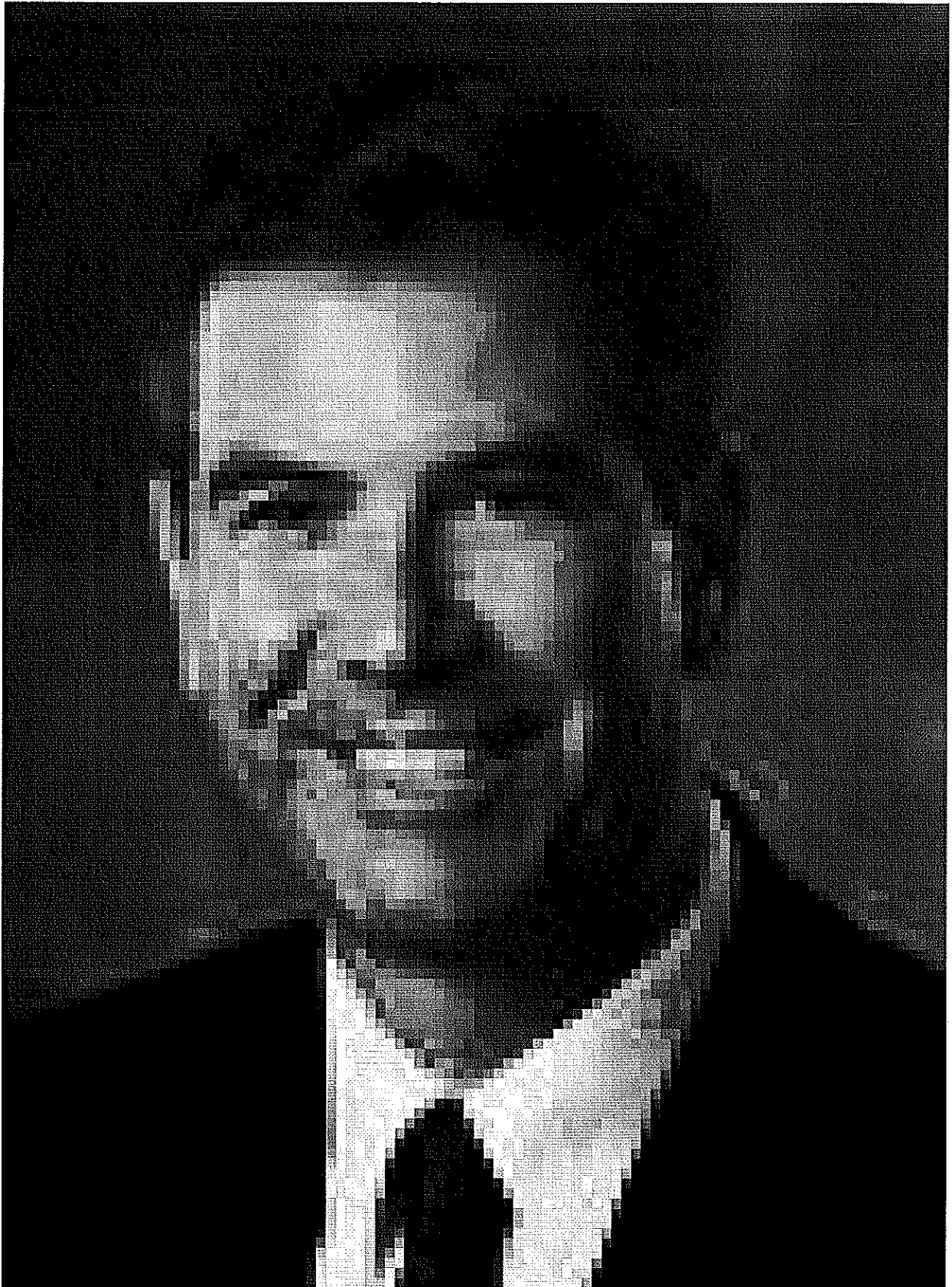
**SAVE**

- BALD EAGLES
- WATERFOWL HUNTING
- BIRD WATCHING
- TOURISM
- THE LOCAL ECONOMY

**LOCATION MATTERS!**

2868





**From:** Lucy Gettman

**Sent:** Tuesday, April 18, 2017 1:06 PM

**To:** Rep30

**Subject:** WIG at Work: Spring 2017

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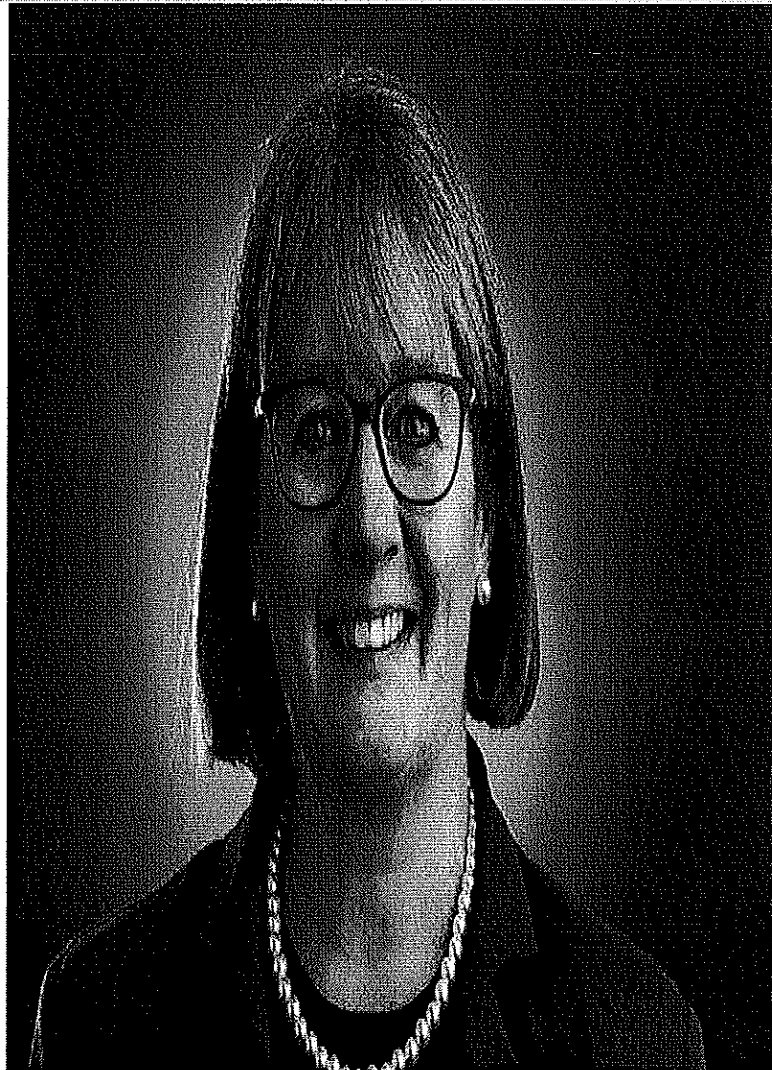
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Spring 2017

# WIG at Work

Updates from around the states





## **MEET WOMEN IN GOVERNMENT'S 2017 NATIONAL BOARD VICE CHAIR**

**= A**

Representative Stacey Guerin (R-Maine) has been involved with Women In Government for many years. She began her involvement with the organization in 2012 as a State Director and joined the board of directors in 2013. First elected in 2010, Representative Guerin is serving in her 4th term in the Maine State Legislature. Representative Guerin serves as the ranking minority member of the Judiciary Committee.



Before her time in public office, Representative Guerin was running her small business with her husband as well as being involved in various groups in Maine, including being a member of the Maine School Nutrition Association, the Maine Restaurant Association, and the Greater Bangor Area Chamber of Commerce, among others.



## **Meet WIG's New Executive Director Lucy Gettman**

On April 3, 2017, WIG welcomed new executive director Lucy Gettman. Coming from the National School Boards Association, Lucy brings her expertise working with fifty state school board associations and skills as Chief Advocacy Officer to WIG. Her deep legislative and organizational leadership experience is driven by past positions with Reading Recovery Council of North America, Ohio House of Representatives, Ohio Attorney General's Office and the Inter-University Council of Ohio. She has been intimately involved with Women In Government Relations and teaches courses on women and political leadership at American University where she received the Alice Paul Faculty Award in 2014. "I'm excited to be on board as WIG tackles the policy and political challenges facing women legislators around the country," Gettman says, "WIG is poised to do to great things for our members now and in the future." Help us welcome Lucy to WIG!

## **Stay-at-Work/Return-to-Work**

U.S. Labor Department's Office of Disability  
Employment Policy Collaborative



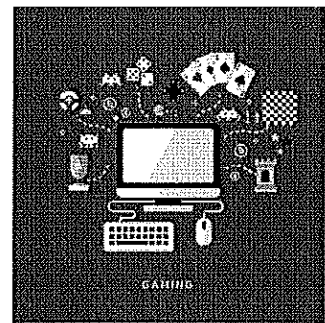
Now through April 21, you are invited to join the Transition Back to Work Online Dialogue hosted in support of the U.S. Labor Department's Office of Disability Employment Policy's Stay-at-Work/Return-To-Work (SAW/RTW) Policy Collaborative and its efforts to develop strategies and practices to promote the return-to-work process for workers.

[Read More](#)

## **Online Gaming**

### **Do You Enjoy a Game of Fantasy Sports? States Struggling to Determine Control**

Millions of Americans enjoy playing fantasy sports with family and friends for fun and bragging rights in their casual office pools and rotisserie-style leagues. But this activity is not the same as the exploding business of online daily fantasy sports gambling operated by a relatively new corporate industry. Many states across the nation are struggling with the question of whether and how to allow online daily fantasy sports gambling, including how it could factor into state gambling laws, amid a legislative push to treat daily fantasy gambling as a game of skill.

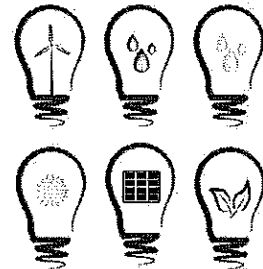


[Read More](#)

## **Renewable Energy**

### **Nevada Reviews Legislation around Various Sources of Renewable Energy**

Nevada's Energy Portfolio - first adopted by the legislature in 1997 - states that 25% of electricity sales are to come from renewable energy resources by 2025; in 2015, 20.3% of net electricity generation came from geothermal, solar, wind, biomass, and hydroelectric power sources.



[Read More](#)

## Economic Stability and Opportunities Advisory Council

Taking steps toward best practices to empower vulnerable families



With support from the Annie E. Casey Foundation, this important member-informed work began in August 2016 in conjunction with the National Conference of State Legislatures' Summit in Chicago. After substantial discussion, the council members determined that a 'basic needs' approach must focus on hunger, childcare, healthcare, education, transportation, safety, housing, and jobs and employment.

[Read More](#)

## The Juvenile Justice System State Actions Around Juvenile Justice Reform



In the last five years states have begun revisiting their policies related to juvenile justice with the hopes of improving overall justice systems. When evaluating state laws from 2011-2016, several trends emerge: omnibus reforms; returning jurisdiction to the juvenile system; prevention and intervention reform; due process and defense reform; adequate mental health training; eliminating racial and ethnic disparities; and re-entry/aftercare.

[Read More](#)

## Arts Education in the States Kennedy Center Award

Do you know a deserving woman state legislator in your state positively impacting arts education? As a strong supporter of the arts, Women In Government (WIG) is proud to announce a joint award where The Kennedy Center and WIG will recognize a woman state legislator for outstanding support of the arts in her state. As the nation's performing arts center, the Kennedy Center is delighted to partner with WIG to encourage support of the arts at the state or local level through this inaugural award.



[Read More](#)



## **WIG Supporters at Work:** Pfizer's work on Metastatic Breast Cancer



At the Seventh Annual Women in Government Healthcare Summit in November 2016, a panel of speakers shared recommended action items for legislators to increase support for those living with metastatic breast cancer (MBC), the most advanced stage of breast cancer for which there is currently no cure. In collaboration with Pfizer, WIG presented experts Leslie Koby and MBC patient Beth Fairchild to share their stories with women state legislators from around the country.

[Read More](#)

## **Get to Know the 24%**

### **Assemblywoman Lisa Krasner**

When Randy Kirner decided not to seek re-election to represent Nevada's Assembly District 26, Lisa Krasner saw an opening. Krasner, the first person in her family to attend a four-year university and receive a law degree, was teaching political science courses at a local community college when she decided on making a change.



[Read More](#)

## **Early Bird Registration is Open!**

**Women In Government's National Legislative Summit**  
**Thursday, June 22 - Saturday, June 24**  
**ARIA Las Vegas Resort & Casino**  
**Las Vegas, Nevada**

Gather with women state legislators and executive branch officials as we examine key policy issues confronting policymakers today. Learn from state and national

experts and participate in focused breakout sessions addressing topics all states are facing such as state pension programs, budget debates, renewable energy, human trafficking, gaming industry's impact on state economies, education choice programs, and more!

While at the conference, bring bills to share during WIG's Open Mic Networking Bill Share Breakfast and leave with concrete tools to move your work forward as you meet with old and new friends from across the aisle and across the country.

Opportunities for conference support and other attendance options are available. For more information on registration, please contact Women In Government staff.

### **Dates to remember**

**May 22-** Legislator Early Bird Registration ends

**May 31-** Room Block cut-off deadline

**June 21-** WIG Board Meeting

**June 22-** Summit kicks off in Las Vegas style!

**#VivaWIGVegas**

**Legislator Travel Stipends are still available-secure yours by registering now!**

Women In Government thanks our Nevada Host State Team!

# Join us!



Mark your calendars for Women in Government's upcoming 2017 National Conferences!

## **National Legislative Summit**

June 22-24, 2017 | ARIA Resort & Casino | Las Vegas, Nevada

The State of Nevada is excited to host WIG and looks forward to showing a side 'beyond the strip' through a variety of activities with community stakeholders to combine with WIG's exciting policy-specific conference programming.

## **National Legislative Forum**

September 14-15, 2017 | Savannah Marriott Riverfront | Savannah, Georgia

Savannah combines all the best of its historic past with a thriving port and WIG will be right in the center of it all, so bring your walking shoes! Join your colleagues for in-depth policy discussions and interactive sessions on trending state policy issues.

## **23rd Annual State Directors' & Newly Elected Legislators' Conference**

November 8-9, 2017 | Dupont Circle Hotel | Washington, D.C.

## **Eighth Annual Healthcare Summit**

November 9-11, 2017 | Dupont Circle Hotel, Washington, DC

Come for one or stay for both as WIG combines its signature National Conferences in a single location right in our nation's capital! State Directors and Newly Elected Legislators will enjoy media and communication training and look forward to hot topics for 2018. Then WIG offers the annual Healthcare Summit to focus on a variety of critical policy sessions. Be part of WIG's Kennedy Center Award Night and participate in a special service project to honor our Veterans.

STAY CONNECTED



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## SENATE ACTIVITY REPORT

### INTRODUCED

#### **SB 134**

#### **ROAD NAMING (Gardner, R.)**

To designate a portion of State Route 795 in Wood County as the "Lt Col Thomas P. Bellowe Memorial Highway."

#### **SB 135**

#### **VOTING EQUIPMENT (LaRose, F.)**

To make supplemental operating appropriations for the FY 2018-FY 2019 biennium and supplemental capital appropriations for the FY 2017-FY 2018

biennium to implement a voting machine and equipment acquisition program.

## **SENATE PRESIDENT'S APPOINTMENTS**

**EDUCATION: REMOVE SEN. YUKO, APPOINT SEN. SCHIAVONI**

**GOVERNMENT OVERSIGHT AND REFORM: REMOVE SEN. YUKO, APPOINT SEN. SCHIAVONI. APPOINT SEN. SCHIAVONI RANKING MEMBER.**

**INSURANCE AND FINANCIAL INSTITUTIONS: REMOVE SEN. YUKO, APPOINT SEN. SCHIAVONI**

**LOCAL GOVERNMENT, PUBLIC SAFETY AND VETERANS AFFAIRS: REMOVE SEN. YUKO, APPOINT SEN. SCHIAVONI**

**Transportation, Commerce and Workforce: Remove Sen. Yuko, appoint Sen. Schiavoni as ranking member**

**FINANCE SUBCOMMITTEE ON PRIMARY AND SECONDARY EDUCATION: REMOVE SEN. YUKO, APPOINT SEN. SCHIAVONI**

**RULES & REFERENCE: REMOVE SEN. SCHIAVONI, APPOINT SEN. YUKO**

**FINANCE SUBCOMMITTEE ON GENERAL GOVERNMENT: REMOVE SEN. SCHIAVONI, APPOINT SEN. YUKO.**

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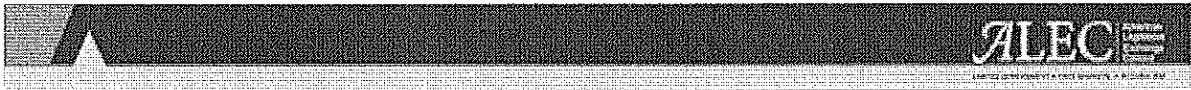
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## Expert Insight

### Business-Friendly States are Growing at the Expense of Those that Tax and Spend

National Review | Jonathan Williams | Op-ed



[Read the Full Article](#)

This year, several states earned their best all time rankings in *Rich States, Poor States*. After enacting right-to-work legislation and aggressively cutting tax rates, Indiana, which sat at 24th as recently as 2012, claimed the second-best economic outlook in the nation this year. Texas and New Hampshire both also saw significant improvement in the 2017 rankings, earning their best marks to date.



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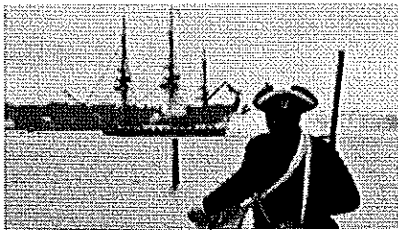
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## Expert Insight

### After 500 Years, Civil Asset Forfeiture Reform Long Overdue

The Hill | Ronald Lampard | Director, Criminal Justice Reform



[Read the Full Article](#)

Raising the burden of proof required for the government to take someone's property, increasing transparency and removing the financial incentives of the seizing agencies are various ways states have sought to increase private property protections. As seen by these efforts, reforming civil asset forfeiture after nearly 500 years is long overdue.



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## Events Update

### Health and Human Services SpringTask Force Updates

Spring Task Force Summit | Health and Human Services | Mia Heck, Director

The Health and Human Services (HHS) Task Force continues to lead in the discussion to repeal and replace Obamacare. We are pleased to announce Mr. Kyle McGowan, Director of External Affairs from the U.S. Department of Health and Human Services will be giving an update on Trump Administration efforts in the deregulatory, repeal and replace, as well as recently announced grant funding available to states in response to the opioid addiction and overdose epidemic at the Spring Task Force Summit in Charlotte.

In addition, we are pleased to welcome Deputy Insurance Commissioner from Wisconsin, JP Wieske who will

discuss state insurance regulations, as well as Galen Institute Senior Fellow Mr. Doug Badger to discuss pros and cons between a block grant and per capita allotment from a state perspective.

We look forward to your participation in these important policy discussions!

---

## Center for Innovation and Technology Reception

May 4 | Center for Innovation and Technology

Getting to Charlotte early on Thursday, May 4? Check-in at the registration desk and join the reception for our Center for Innovation and Technology from 4:30 PM to 6:00 PM.

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## North Carolina Welcome Reception

May 5 | Spring Task Force Summit

Join us after a day of meetings to network with attendees at the North Carolina Welcome Reception. Be sure to grab a bite of that famous North Carolina pulled pork! Bring your badge and join us from 5:00 PM to 6:00 PM.

[More on the Agenda](#)

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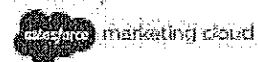
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Thursday, April 27, 2017



## TOP NEWS

### **Trump Faces These 4 Disputes As 100-Day Mark Nears**

Despite a whirlwind start, President Donald Trump hasn't let his official responsibilities keep him out of the courts, where the commander-in-chief is butting heads with Washington businesses, a former "The Apprentice" contestant and more as he approaches his first 100 days mark. [Read more »](#)

Analysis

### **After 100 Days, Immigration Changes Will Be Up To Congress**

President Donald Trump has taken a variety of actions seen as a "sea change" for immigration policy during his first 100 days in office, and that approach is likely to continue, but experts told Law360 lasting change will depend on congressional action. [Read more »](#)

Analysis

### **Temporary Nature Of Tax Cuts May Lessen Economic Growth**

The big tax announcement that President Donald Trump promised brought few surprises on Wednesday as it mostly rehashed his campaign pledges, but it suggests that comprehensive tax reform may amount to little more than temporary tax cuts that will curtail

## LAW FIRMS

Arnold & Porter Kaye Scholer  
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Debevoise & Plimpton  
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Earthjustice  
Flaster/Greenberg  
Fortney & Scott  
Goldstein & Russell  
Hall Lamb  
Harris Wiltshire  
Hogan Lovells  
Holland & Hart  
Hunton & Williams  
Morrison & Foerster  
Orrick Herrington  
Paul Hastings  
Sedgwick LLP  
Seyfarth Shaw  
Sullivan & Cromwell  
Zuckerman Spaeder

## COMPANIES

businesses' readiness to make long-term investments in the U.S. economy. [Read more »](#)

### **Trump Pushes For 15% Corporate Rate In New Tax Plan**

A 15 percent tax rate for corporations and the repeal of a 3.8 percent tax on net investment income are the top priorities in the Trump administration's tax reform agenda, according to a plan released by the White House on Wednesday. [Read more »](#)

### **Government Funding Deal 'Down To Final Details'**

One more potential flashpoint between Congress and the White House over government spending was removed Wednesday, as President Donald Trump's administration told congressional leaders it would continue subsidy payments under the Affordable Care Act. [Read more »](#)

### **House Conservatives Back Revamped ACA Repeal**

House Republicans appear to have resuscitated their efforts to repeal the Affordable Care Act, as key conservative lawmakers on Wednesday signed on to a compromise measure that would alter protections for pre-existing conditions. [Read more »](#)

### **Senators Unveil Bill For Federal Regulation Reform**

A bipartisan pair of U.S. senators announced Wednesday that they have introduced a piece of legislation aimed at federal regulatory agencies with the intent to reform the process by which those agencies analyze and formulate new regulations and guidance documents. [Read more »](#)

### **House Passes Bill Changing Copyright Office Appointments**

The House passed a bill to make the nation's copyright register a Senate-confirmable position, over the concern among some

AOL Inc.  
American Civil Liberties Union  
American Express Company  
American Institute of Architects  
BP p.l.c.  
Boston Celtics  
Bristol-Myers Squibb Company  
Broadcast Music Inc.  
CITGO Petroleum Corp.  
Center for American Progress  
Center for Biological Diversity Inc.  
Chevron Corporation  
Citizens for Responsibility and Ethics in Washington  
Comcast Corporation  
Competitive Carriers Association  
Conference of State Bank Supervisors  
Deere & Company  
EnergySolutions, Inc.  
Environmental Advocates of New York  
Environmental Defense Fund Inc.  
Facebook  
Federation for American Immigration Reform  
Florida Bar Association  
Ford Motor Company  
General Motors  
Google Inc.  
Independent Community Bankers of America  
Lowe's Companies, Inc.  
Massage Envy LLC  
National Association of Broadcasters  
National Association of Realtors  
National Basketball Association  
National Collegiate Athletic Association

Democrats that the administrator would be subject to the whims of the executive. [Read more »](#)

### **Trump Orders Review Of Antiquities Act Designations**

President Donald Trump signed an executive order Wednesday that launched a review of land and marine national monuments designated for protection under the Antiquities Act during the last two decades, calling the act's use by previous administrations "abusive." [Read more »](#)

## **BANKING & SECURITIES**

### **Dodd-Frank Rewrite Makes Minor Tweaks To Capital-Raising**

A Republican bill seeking to broadly rewrite the Dodd-Frank Act also contains a slew of proposals to ease capital-raising, though lawyers say those measures essentially tweak around the edges of existing laws, stopping short of bolder reforms. [Read more »](#)

### **House Dems Seek To Slow GOP Dodd-Frank Repeal**

Democrats on the House Financial Services Committee on Wednesday said they planned to hold their own hearing on a Republican bill that would effectively repeal the Dodd-Frank Act in a bid to slow down the legislation. [Read more »](#)

### **State Bank Regulators Sue To Stop OCC Fintech Charters**

State banking regulators filed a lawsuit Wednesday seeking to block the Office of the Comptroller of the Currency from issuing special charters to financial technology firms, arguing that the regulator does not have the authority to do so. [Read more »](#)

## **ENERGY & ENVIRONMENTAL**

### **Analysis**

Natural Resources Defense Council

New England Patriots

New York City Bar Association

New York Post

New York State Bar Association

New York Yankees

Northern Mariana Islands

Retirement Fund

Palantir Technologies Inc.

PricewaterhouseCoopers

Royal Dutch Shell PLC

S&P Global Inc.

Sierra Club

Southeastern Pennsylvania

Transportation Authority

Tax Foundation

The Aluminum Association Inc.

Time Warner Cable

Trump Organization Inc.

U.S. Chamber of Commerce

Verizon Communications

Wal-Mart Stores Inc.

Wells Fargo & Co.

## **GOVERNMENT AGENCIES**

Army Corps of Engineers

Bureau of Land Management

Congressional Budget Office

Consumer Financial Protection Bureau

Council on Environmental Quality

Department of Commerce

Equal Employment Opportunity Commission

European Commission

Executive Office of the President

Federal Communications Commission

Federal Deposit Insurance Corp.

## **Environmental Highlights From Trump's First 100 Days**

President Donald Trump has focused much of his attention on environmental matters in his first 100 days in office, steering agencies away from the Obama administration's priorities and proposing budget cuts for the U.S.

Environmental Protection Agency. Here are important actions taken by the Trump administration and others with the president's 100th day in office approaching. [Read more »](#)

## **AGs Urge Congress To Oppose Rollback Of Ozone Standards**

More than a dozen Democratic attorneys general on Wednesday called on Congress to block legislation that would roll back and weaken ozone standards, saying the bill undermines the Clean Air Act and, if implemented, would mark a major step backward in combating pollution. [Read more »](#)

## **Enviros Push EPA To Crack Down On Polluting Power Plants**

A coalition of environmental, conservation and public health groups have sent the U.S. Environmental Protection Agency a letter imploring the agency to act on requests by Connecticut, Maryland and Delaware for help curbing pollution from power plants in neighboring states that allegedly crosses their borders, according to an announcement Wednesday. [Read more »](#)

## **Mo. High Court Calls Clean Energy Constitutional Scrap Moot**

The Missouri Supreme Court on Tuesday upheld the dismissal of a suit accusing the Missouri Legislature of unconstitutionally interfering with a rule implementing renewable energy standards for the state's utilities, saying the suit was moot because state utility regulators have since issued a new rule. [Read more »](#)

Federal Election Commission  
Federal Reserve System  
Federal Trade Commission  
Illinois General Assembly  
Internal Revenue Service  
NAFTA  
National Highway Traffic Safety Administration  
Navajo Nation  
New York Attorney General's Office  
New York State Department of Taxation and Finance  
Office of Federal Contract Compliance Programs  
Office of the Comptroller of the Currency  
Pennsylvania Department of Environmental Protection  
Pennsylvania Supreme Court  
Securities and Exchange Commission  
U.S. Army  
U.S. Department of Justice  
U.S. Department of Labor  
U.S. Department of State  
U.S. Department of Transportation  
U.S. Department of Veterans Affairs  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. General Services Administration  
U.S. House of Representatives  
U.S. Supreme Court

## **FEC Urged To Investigate Citgo's Trump Inauguration Kick-In**

A democracy watchdog has asked the Federal Election Commission to immediately investigate President Donald Trump's inaugural committee after it emerged that a U.S. subsidiary of a Venezuelan state-owned oil company chipped in \$500,000 to the inauguration, saying the contribution violates a federal ban on foreign donations. [Read more »](#)

## **EMPLOYMENT**

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### **SEPTA Shielded From Philly Anti-Bias Law, Pa. Justices Say**

A divided Pennsylvania Supreme Court on Wednesday upheld a ruling finding that the Southeastern Pennsylvania Transportation Authority could take advantage of sovereign immunity to avoid claims brought under Philadelphia's anti-discrimination ordinance. [Read more »](#)

### **EEOC Sues Massage Co. For Firing Worker Over Ebola Fears**

A Massage Envy franchise operator broke the law when it fired an employee who planned to travel to Ghana over fears that she would carry the Ebola virus upon her return to the United States, the U.S. Equal Employment Opportunity Commission said in a lawsuit filed on Wednesday in Florida federal court. [Read more »](#)

### **Fla. High Court Won't Halt Cases After State Atty Removal**

The Florida Supreme Court said late Tuesday it will not stop 23 homicide cases from moving forward without the original state prosecutor assigned to them, while it considers her challenge to Gov. Rick Scott's authority to remove her due to her reluctance to pursue the death penalty in a high-profile double murder. [Read more »](#)

### **III. Panel Votes To Strip Hastert Of Lawmaker Pension**

Former U.S. House Speaker Dennis Hastert will not continue collecting his \$28,000 annual pension from his days serving in the Illinois General Assembly, per a vote Wednesday from a panel that oversees the legislative retirement system. [Read more »](#)

### **Silicon Valley Co. Owes \$1.6M In Back Pay In Hiring Bias Deal**

Silicon Valley company Palantir Technologies Inc. will pay more than \$1.6 million in back wages and promise to hire eligible class members to resolve accusations of systemic hiring discrimination against Asian applicants at the company's Palo Alto, California, facility in a deal announced Tuesday by the U.S. Department of Labor. [Read more »](#)

## **COMPETITION**

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### **Delrahim Confirmation Hearing Postponed Over Paperwork**

The Senate Judiciary Committee has postponed a hearing scheduled for Wednesday to consider the nomination of Makan Delrahim to head the U.S. Department of Justice's antitrust division because his required paperwork was not yet completed. [Read more »](#)

## **GOVERNMENT CONTRACTS**

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### **Watchdog Wants Senate Probe Of Trump DC Hotel Ethics**

An ethics watchdog nonprofit has requested a Senate committee investigation into whether President Donald Trump is violating ethics regulations and a lease from the federal government on the building currently occupied by Trump International Hotel in downtown Washington, D.C. [Read more »](#)

### **Trump Set To Sign Order To Overhaul VA Employee Discipline**



President Donald Trump will sign an executive order Thursday setting up a new office within the U.S. Department of Veterans Affairs intended to come up with ways to help it more effectively punish or fire misbehaving employees and better protect whistleblowers, VA Secretary David Shulkin said. [Read more »](#)

## INTERNATIONAL TRADE

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### **Canadian MP: Trump 'Shooting Himself In The Foot' On NAFTA**

As President Donald Trump continues to push for renegotiation of the North American Free Trade Agreement, he may be "shooting himself in the foot" with his recent tough talk on Canada's dairy and lumber policies, Canadian Parliament member Gerry Ritz told Law360 on Wednesday. [Read more »](#)

### **Aluminum Probe Marks Trump Admin.'s 2nd Use Of Rare Law**

The Donald Trump administration on Wednesday launched a new investigation assessing national security threats from aluminum imports that could potentially lead to new tariffs, wielding an obscure trade law that allows for such probes for the second time in seven days. [Read more »](#)

## TAX

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### **Louisiana's Controversial Gross Receipts Tax Put On Ice**

Louisiana Gov. John Bel Edwards accepted defeat Tuesday on the Democrat's controversial proposal for a commercial activity tax for businesses based on their gross receipts, an end-run around limitations on taxing out-of-state companies also being attempted elsewhere that was pulled by the bill's sponsor. [Read more »](#)

### **Lawmakers Introduce Biodiesel Tax Credit Bill**

A bipartisan group of lawmakers on Tuesday announced that they have introduced a piece of

legislation to reform the country's biodiesel tax credit, saying that the bill would help support U.S. products. [Read more »](#)

### **NY Tax Dept. Deems Web-Based Software Sales Taxable**

New York tax authorities have determined that sales tax applies to online file-sharing software used by corporate boards of directors in an advisory opinion released Tuesday, but allowed for proportional exclusions for out-of-state board members and exempt internet access functions. [Read more »](#)

### **EU Directs 4 Years In Jail For Major Tax Fraud, Corruption**

A directive adopted Tuesday by the Council of the European Union will require member nations to implement criminal laws including a maximum penalty of at least four years in prison for major tax evasion, fraud, corruption and other white collar crimes harming the EU budget. [Read more »](#)

## **TELECOMMUNICATIONS**

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### **FCC Will Undo Obama-Era Open Internet Framework, Pai Says**

Federal Communications Commission Chairman Ajit Pai revealed the details of his long-anticipated plan to take aim at 2015 net neutrality rules on Wednesday, pledging this year to "finish the job" on undoing the reclassification of broadband as a common carrier service. [Read more »](#)

### **Ford Pushes FCC On Vehicle-To-Vehicle Communications**

Ford Motor Co. announced that it has met with Federal Communications Commission Chairman Ajit Pai's staff on the subject of connected vehicles, saying that there must not be "harmful interference in the 5.9 GHz band." [Read more »](#)

## **FCC Urged To Ensure Solid Evidence Behind Mobile Support**

The Competitive Carriers Association on Tuesday urged the Federal Communications Commission to make sure that a support mechanism for expanding mobile access uses sound data collection standards and relies on solid evidence to determine which geographic regions receive funds. [Read more »](#)

## **Fox Lobbies FCC To Renew NY Post Ownership Waiver**

The Federal Communications Commission should permit the continued co-ownership of TV stations in New York and New Jersey and the New York Post, Fox told the agency Tuesday, saying a waiver that allows it is in the public interest. [Read more »](#)

## **EXPERT ANALYSIS**

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## **The Impact Of Tax Reform On Private Equity**

While predicting exactly where President Trump and Congress will land when it comes to tax reform is at best an inexact science, some consistent themes have emerged, including a widespread elimination of deductions. The impact of eliminating corporate-level deductions for private equity funds cannot be understated, say attorneys with Orrick Herrington & Sutcliffe LLP. [Read more »](#)

## **Repeal Of FCC Privacy Rules Leaves America Vulnerable**

The congressional repeal of the Federal Communications Commission's October 2016 privacy rules will have security implications far beyond what was ever envisioned or intended. The end result will be a disaster not just for Americans' privacy, but for America's cybersecurity as well, says John Stephens of Sedgwick LLP. [Read more »](#)

## **Thinking Fast And Slow About Class Action Reform**

Corporate interests lobbying for H.R. 985, the anti-class action bill recently passed by the U.S. House of Representatives, are the same ones that pushed the Class Action Fairness Act in 2005. That law caused most significant class actions to migrate to federal courts. Ironically, the new bill could return many class actions to state courts, says Michael Donovan of Donovan Litigation Group LLC. [Read more »](#)

### **10 Ways To Avoid Construction Defect Litigation In Colo.**

If passed, Colorado's HB 1279 will be helpful to developers of residential projects, requiring community homeowners to approve construction defect litigation. However, even if the bill passes, developers should continue to implement a number of strategies to mitigate the risk of litigation, says Rebecca Dow of Holland & Hart LLP. [Read more »](#)

### **The 9-Year Winning Streak Of Virginia 'Rocket Docket'**

Out of 94 district courts, the Eastern District of Virginia has been the fastest civil trial docket in the country for nine straight years. Without micromanaging the process, the EDVA's judges, magistrate judges, and clerks and staff continue to perform at a stunningly efficient level, says Bob Tata of Hunton & Williams LLP. [Read more »](#)

## **LEGAL INDUSTRY**

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### **Katyal Laments Diversity Gap After Hitting High Court Record**

Neal Katyal tied a record set by the late Associate Justice Thurgood Marshall on Tuesday for the most Supreme Court arguments by a minority attorney, but the Hogan Lovells partner told Law360 in an interview that Marshall's 50-year hold on the achievement is a "tragic" sign of the need for diversity among the Supreme Court bar. [Read more »](#)

## **Law Firm's Docs Are Private, NYC Bar Association Says**

The New York City Bar Association on Tuesday told the Second Circuit that it supported Cravath Swaine & Moore LLP in its bid to block the disclosure of Royal Dutch Shell PLC documents for a planned environmental and human rights suit abroad, saying that handing them over could hurt attorney-client relationships. [Read more »](#)

## **Plaintiffs Bar Perspective: Hall Lamb's Matthew Leto**

As a plaintiffs lawyer, you have to be tenacious and capable of adapting quickly. Not every hearing will go your way and not every witness will provide favorable testimony, says Matthew Leto, partner at Hall Lamb Hall & Leto PA. [Read more »](#)

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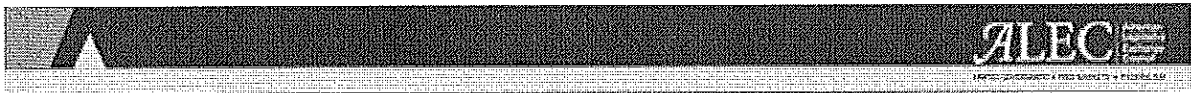
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As the Spring Task Force Summit nears, everyone at ALEC is hard at work preparing for a productive, policy-packed meeting. However, it goes without saying ALEC is also rearing up for all of the fun Charlotte has to offer. We are looking forward to seeing you all soon!

### Fun Facts About Charlotte:

- North Carolina is a right to work state
- Charlotte is the largest city in the state of North Carolina and the 20th largest city in the United States
- Affectionately called the Queen City, Charlotte was named in honor of the German Princess Charlotte of Mecklenburg-Strelitz
- The Charlotte Hornets used to be a baseball team, then a football team before they became Charlotte's favorite basketball team
- Approximately 75% of all the NASCAR teams in the world are headquartered within two hours of uptown Charlotte

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### New ALEC Video

#### USA (Unauthorized Spending Accountability) Act Explained

Representative Cathy McMorris Rodgers | A Sarah Wood Production



Watch the Full Video

In FY 2016, Congress appropriated \$310.4 billion to 256 programs that are no longer authorized - equating to roughly one-quarter of the discretionary budget. Representative Cathy McMorris Rodgers joins ALEC to discuss the USA Act, a bill that will address wasteful government spending.



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### Expert Insight

#### Tax Reform 101

Tax Reform Explained | Jonathan Williams | ALEC Chief Economist



America has bared a competitiveness deficit for some time, due to an uncompetitive tax code-putting our job creators at a great disadvantage. Click here to learn more about how to make America competitive again.



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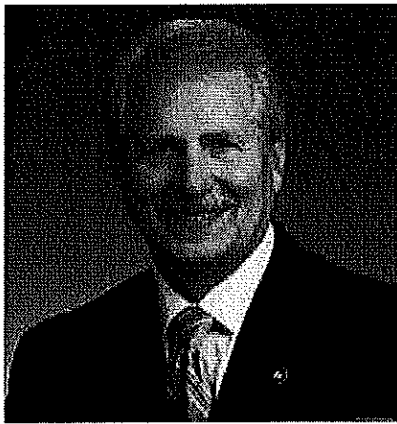
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## Featured ALEC Member

### ALEC-FreedomWorks Legislator of the Week

Senator Bill Ketron | TN-13



Senator Bill Ketron is a native Tennessean and was born in Kingsport, Tennessee. He received his B.S. in political science and history from Middle Tennessee State University and is a graduate of Leadership Rutherford, the year-long government and community education program of the Rutherford County Chamber of Commerce. [Click here for the full bio.](#)



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**Subject:** Government of the USA (EEUU)

Government of the USA:

Damn gringos of shit (and Jews), Thieves!, Cheaters!, Bandits!

Sons of Belial!

Who will pay me for my work?

I want to get paid for my job. I want to make more movies and animations

**Do not put me any more obstacles...**

Now to him who works, wages are not given as a gift, but as a debt. **Romans 4:4**

...for the laborer is worthy of his wages. **Luke 10:7**

"The laborer is worthy of his wages." **1 Timothy 5:18**

'You shall not oppress your neighbor, nor rob him. The wages of a hired man are not to remain with you all night until morning. **Leviticus 19:13**

Give the worker his salary before the sweat has dried on his skin. **Islam**

**Articles 2, 6 and 23 The Universal Declaration of Human Rights**

**Article 2.** Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

**Article 6.** Everyone has the right to recognition everywhere as a person before the law.

**Article 23.** (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

**Article 123, VII of the Political Constitution of the United Mexican States**

For equal work, equal wages must correspond

**Article 28 of the Political Constitution of the United Mexican States**

Nor do they constitute monopolies the privileges granted for a limited period to authors and artists for the production of their works and those which, for the exclusive use of their inventions, are granted to inventors and perfectors of some improvement.

“You shall not muzzle the ox while he is threshing. **Deuteronomy 25:4**

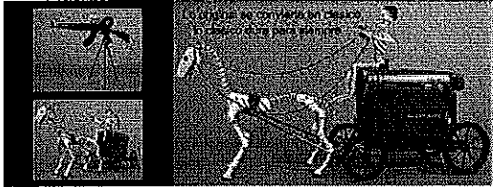
God is not concerned about oxen, is He? Or is He speaking altogether for our sake? Yes, for our sake it was written, because the plowman ought to plow in hope, and the thresher to thresh in hope of sharing the crops. **1 Corinthians 9:9, 10**

Do not set up stumbling blocks on the road... **Leviticus 19:14**

**God bless you**

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Government of the USA:

Damn gringos of shit (and Jews), Thieves!, Cheaters!, Bandits!

Sons of Belial!

Who will pay me for my work?

I want to get paid for my job. I want to make more movies and animations

**Do not put me any more obstacles...**

Now to him who works, wages are not given as a gift, but as a debt. **Romans 4:4**

...for the laborer is worthy of his wages. **Luke 10:7**

"The laborer is worthy of his wages." **1 Timothy 5:18**

'You shall not oppress your neighbor, nor rob him. The wages of a hired man are not to remain with you all night until morning. **Leviticus 19:13**

Give the worker his salary before the sweat has dried on his skin. **Islam**

### **Articles 2, 6 and 23 The Universal Declaration of Human Rights**

**Article 2.** Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

**Article 6.** Everyone has the right to recognition everywhere as a person before the law.

**Article 23.** (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

### **Article 123, VII of the Political Constitution of the United Mexican States**

For equal work, equal wages must correspond

### **Article 28 of the Political Constitution of the United Mexican States**

Nor do they constitute monopolies the privileges granted for a limited period to authors and artists for the production of their works and those which, for the exclusive use of their inventions, are granted to inventors and perfectors of some improvement.

"You shall not muzzle the ox while he is threshing. **Deuteronomy 25:4**

God is not concerned about oxen, is He? Or is He speaking altogether for our sake? Yes, for our sake it was written, because the plowman ought to plow in hope, and the thresher to thresh in hope of sharing the crops. **1 Corinthians 9:9, 10**

Do not set up stumbling blocks on the road... **Leviticus 19:14**

**God bless you**

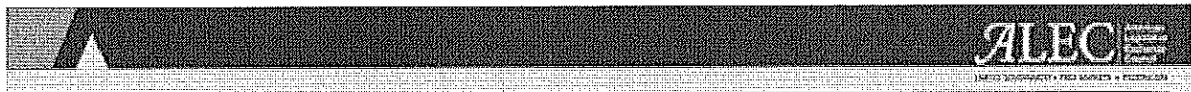
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Dear members,

The last few months at ALEC have been electric. I've heard from legislators around the country that 2017 has been a great year for limited government and free markets. And ALEC members want to hear from you about what's happening in your state.

As the legislative sessions begin to come to a close, it's clear 2017 has already been a great year for right to work, tax reform and deregulation that levels the playing field and keeps government from picking winners and losers. In just the first hundred days of the new Administration, the White House has received high-level appointments and has taken steps to ensure increased regulatory relief that will grow jobs and the economy. And, for the first time in a long time, hardworking American tax payers can be confident their legislators are supported in Washington as they are fighting on the front lines for limited government, free markets and federalism.

If you haven't gotten in on the action at ALEC, you are missing out. But there is still an opportunity for you to be where the action is because we are gearing up for two policy-packed meetings. Don't forget to register for the Spring Task Force Summit in Charlotte, North Carolina next week. There are just a few spots left, so I'd encourage you to sign up immediately!

And as you are preparing for the Spring Task Force Summit next week in Charlotte, be sure to put the ALEC Annual Meeting in Denver on your calendar for July 19-21. This is the ultimate opportunity for you to meet not just other ALEC members, but also new friends and allies in the fight for freedom. At the ALEC Annual Meeting, you will listen, learn and engage with the best and brightest minds fighting for limited government like Steve Forbes, Kentucky Governor Bevin, administration officials and cabinet secretaries.

Denver truly is great city, and we would love to have you. And, bring your family—through Kid's Congress, ALEC is happy to provide a wealth of activities for children so you can learn and network while enjoying time with your family and responsibilities and giving the kids a Colorado vacation they'll remember.



As we turn to 2018, we need your help to continue the limited government reform campaign initiated this year. At ALEC meetings you have a role in crafting the destiny of the states and the nation. Members from around the country want to know what you did in your state to advance free enterprise. Join us in the fight to preserve the rights enshrined in the Constitution, and to ensure power is rolled back to the states.

I genuinely believe we are on track to achieve great things and hope you will join us at ALEC this year!

Sincerely,

Lisa B. Nelson  
CEO

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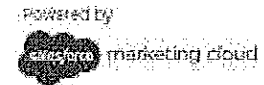
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# Congressman Steve King

Dear Louis:

= A Below is a petition I've had prepared for you to House Speaker Paul Ryan, Senate Majority Leader Mitch McConnell, your Senators= Aand your Congressman.

It's crucial you sign them at once.

You see, President Donald Trump has pledged to support passage of a National Right to Work act -- and promised to sign it into law if you and I can get it to his desk.

Without a doubt, this is our best opportunity EVER to pass a National Right to Work law to end forced unionism in America.

A National Right to Work law would ultimately end forced unionism nationwide by removing the sections of federal labor laws that allow union bosses to force workers to join a union just to get or keep a job.

So please sign your petition immediately.